

The Nation.

NEW YORK, THURSDAY, APRIL 21, 1870.

The Week.

THE sectional character of the vote reducing the duty on pig-iron, on Monday, was exactly reversed on the same day, on the vote increasing the apportionment of Representatives from 240 to 275, by which the West will be the gainer. In the Senate on Friday Mr. Sumner introduced a substitute for the bill abolishing the franking privilege, which has the merit of coupling the reform with a general recasting of rates; but we fear it will resemble some other of Mr. Sumner's measures in obstructing rather than forwarding the object of it by distracting attention. Mr. Drake came up first on Monday with a rival Sixteenth Amendment to Mr. Julian's, designed to authorize a more speedy interference by the President in domestic disturbances in the several States, without waiting for the call of either Governor or Legislature. Congress is to specify the occasions, and to provide appropriate legislation in support of the amendment. The Georgia Bill, having been debated in the most wearisome manner, was finally brought to vote on Tuesday evening, and the bill sent back to the House in a shape in which its best friends will fail to recognize it. It orders the election of a legislature this year, keeps the State a military district, authorizes the President to suppress domestic violence there, and provides for the organization and employment of the Georgia militia.

We have made a feeble attempt elsewhere to give the general reader an idea of the way in which the industry and trade of the country are "regulated" every winter by the House of Representatives, and of the amount of knowledge and public spirit a large proportion of our high-tariff men bring to the work of raising and lowering the value of the property of the entire community. To talk of their performances as "a system" or as "protection for native industry" is an abuse of language. It is neither more nor less than a "grab game," in which each man gets all he can out of the pockets of the people for the benefit of a small number of persons in his own district, and of the effect on the fortunes of others in other districts he evidently cares little or nothing. The amusing surveys of the condition of the rest of the globe, and the historico-philosophico-economico-metaphysical disquisitions on the moral, social, and political phenomena of other civilized countries by which the demand for higher duties is generally prefaced, are merely a ponderous congressional way of throwing dust in people's eyes. There never was anything of the kind more comical than the devices by which they have been trying to reconcile the Southerners to dear cotton bagging. First they told them that the thick bagging had lowered their insurance; but on its being shown that it was not this but the substitution of iron ties that had done it, they fell back on the *weight* of the bagging as tare, for which the cotton-planter made no allowance; which was another way of saying, Buy our heavy bagging at our price, and we will assist you in cheating the people who buy your cotton.

The success of the protectionist efforts to keep up the duties on bagging, however, is said to have had the effect of disgusting the Southerners, as the bagging is a Western "interest," and the East does not care much about it—witness Mr. Schenck's rending of his garments—and, consequently, the result of the bagging debate was generally believed last week to be fatal to the tariff bill, although pig-iron, which is its critical point, had not been reached. The battle royal on this came off on Monday, and owing to the stout resistance of the Western men, aided by Mr. Butler, of Massachusetts, the \$7 duty of the bill was cut down to \$5—a reduction of \$4 from the present rates—but by a majority only of sixty-six to sixty-four. Still, small as

the majority is, it indicates that turning in the tide which has for some time been plainly inevitable, and for which, we repeat, the protectionists have nobody to blame but themselves. They have had everything their own way for ten years, and the result is general indignation and disgust. No nation will long bear with such performances as theirs have been from any government which it can make or unmake. Colbert succeeded, but Colbert had no press or public opinion to face, and could imprison a man for life or send him to the galleys without trial.

We find in a recent speech of Mr. Daniel J. Morrell, of Pennsylvania, on the tariff, delivered in the House of Representatives, that "it is settled and determined by the people themselves, from whom there is no appeal, that the wages of labor shall be maintained at a higher rate in this country than in England or other competing countries." We are very glad to hear this, because if "the people" can do this, they can make wages whatever they please, and the "labor problem" may be considered solved. All we have to do now, to put an end to the eternal bickering between the capitalist and the laborer, is to have the rate fixed once a year or so at the State elections by a popular vote. Moreover, this gets rid of the great question of finding work for the unemployed. Why should "the people" not indicate by a vote on a general ticket the number of men each employer should hire, as well as how much he should pay them? What keeps men out of work now is, that employers say they cannot afford to engage them; but if "the people" said they *could* afford it, what employer would venture to deny it? The danger of capitalists running away, when "the people" begin to raise or lower wages, might be obviated by erecting wire fences, of native manufacture, such as are used in monarchical countries for the confinement of deer in the parks of the bloated aristocracy.

The St. Thomas treaty expired by limitation last week, and thus have ended negotiations begun by us more than five years ago, persisted in till the reluctance of the Danish Government was overcome, and then, when presented in definite shape to the Senate, neglected and postponed as if at least positive and prompt action were not imperative in the circumstances, and finally lapsing, after two renewals, in a manner discreditable to the United States and mortifying to Denmark. The loss of two coaling stations is of no consequence whatever, but with them we have forfeited the confidence of foreign powers in similar dealings, and that must indirectly affect our standing in all that concerns the good faith of the nation. However, we are not beyond the possibility of gain even from this defalcation—gain, we mean, other than the saving of seven and a half millions of dollars. It will be, if not particularly consoling to Denmark, a considerable compensation to ourselves if the San Domingo treaty shares the fate of the St. Thomas, not from senatorial caprice, but in obedience to a public sentiment, which may fairly be said to exist, in opposition to further annexations, especially of territory not contiguous to this country. And we shall be still better off if the principles and risks of international treaties under our Constitution become fully understood by foreign governments, and if the discussion of them in the Senate can be made of necessity public. Until then the people will never fully realize their responsibility for the national honor, and our ministers of state will never proceed with the caution that belongs to such difficult and delicate enterprises.

The Chicago *Tribune*, which seems to hold the Mormons in a good deal of horror, warmly supports Cullom's bill, and ridicules the notion that their polygamy is entitled to any forbearance because they practise it as of divine ordinance. It asks scornfully whether, if a band of horse-thieves were to appear professing to have a divine revelation directing them to practise horse-stealing as an institution, we should

pay any attention to their religious scruples, or should not hunt them down and string them up with as much rigor as if they stole horses through "pure cussedness" and not as a means of grace. Now, this is not a parallel case, and is therefore delusive, and for this reason, among others: In polygamy all parties concerned are consenting parties. The arrangement is what the civil lawyers call consensual. In other words, there is nobody in it calling herself or himself a victim, and appealing to us for protection. When horses are stolen, on the other hand, the owner is aggrieved and demands our aid, and we are bound to give it, just as we should be bound to give it to any woman whom the Mormons sought to abduct *vi et armis*. If, however, a sect made its appearance, like the Shakers, for instance, and settled in a secluded district, and practised as a religious rite, commanded by their prophet, the custom of carrying off each other's horses in the night-time, and were ready to endure torture sooner than stay in their beds and let their neighbors' horses alone, or if, when they got up in the morning and found all their horses untouched in the stable or the pasture, they looked on it as a sign of lukewarmness in the church, we think it would be very doubtful indeed whether Government ought to interfere with them. The nearest approach to a precedent for the proposed action of our Government towards the Mormons is the dealings of the English Government in India with the Thugs, who held it to be a religious duty to murder and rob. But then they did not practise the rite on one another, but on Gentiles, who were utterly opposed to participation in it, and were therefore entitled to have the Thugs exterminated. We may add, too, that on the simple ground of feasibility there is a wide difference between regulating the sexual relation and any other. Any relation of the sexes generally approved of by public opinion cannot be restrained by law. The law can only strike at it through the rules of inheritance, by declaring children illegitimate; but if the parties are not frightened by this, it is in vain to forbid whatever does not disgrace them in the eyes of their friends and neighbors.

The last story about the Legal Tender Case is that Judges Bradley and Strong have "qualified" themselves to sit on the re-hearing, and take part in the decision, the one by "assigning" his interest in the stock of the Camden and Amboy Railroad, and the other by assigning his interest in the stock of the Pennsylvania Central. Both these great corporations have a strong interest in the decision, as a reversal of the late judgment of the Court will enable them to cheat their creditors to a considerable amount on contracts made before 1862. The Pennsylvania Central, in particular, would make about a million and a half if the swindle were legally authorized. The great railroad corporations have long owned State legislatures, and have lately begun to own State courts, but until now the Supreme Court may be said to have been beyond their reach. Should the addition of Judges Strong and Bradley to the Court result in a decision favorable to their interests, we may count on two things: one is, a loss of all confidence, on the part of the public, in the Court, in all cases in which great corporations are concerned; and another is a steady refusal on the part of the corporations to accept any decision as final until they have tried their hand at "filling vacancies" on the bench. We do not mean to say or insinuate that either Judge Bradley or Judge Strong is going to do anything that is wrong in the matter, but they must remember that it is as much the duty of a judge to be above reproach as to be pure. Precedents and right reason prescribe to a judge who is personally interested in a cause, or will be personally affected by its result, strict abstinence from all participation in deciding it. This is the rule. "Assigning his interest" for the purpose of qualifying is forbidden, for the simple reason that in the hands of a bad man the expedient may be a mere farce. There is nothing to prevent either of these judges having his stock reassigned to him the day after his judgment has added twenty per cent. to its value. The country ought to speak out boldly against these disgraceful beginnings.

The disgraceful attacks on the Honorable Horace Greeley, of which we have already more than once spoken, continue. The New York

Times, the other day, pointed out that he had said in his great work, "What I Know of Political Economy," the very same thing about the wool clip of 1868 for saying which, in a report, he had abused Mr. Wells, as a "humbug" and a "Munchausen Special" and an ignoramus, but it failed to mention the foot-note in the book, or the paragraph in the *Tribune*, in which Mr. Greeley, with his usual candor and conscientiousness, had acknowledged the injustice of his attack on Mr. Wells, and apologized for it. We have called the attention of the *Times* to this oversight on its part, and it is still silent. Such is the way in which a partisan press treats our leading scientific men. More recently, the *Herald* and other sheets have spread abroad the report that Mr. Greeley had, before and during his visit to Albany, as the ambassador of the Union League Club, opened negotiations with the Honorable John Morrissey and other members of the "Young Democracy" for an alliance against the Tweed charter, in consideration of which Mr. Greeley was to have the support of the "Young Democrats" for the Governorship of the State. And now the Committee of the Tammany Society, appointed to enquire into the late conflict at Albany, report that these negotiations were actually carried on as aforesaid. The result of them is that the "Young Democrats" received at the Tammany election 23 votes, to the 242 cast for the Tweedites, which is certainly a very lame and impotent conclusion to our latest attempt at reform. Misfortunes, of course, never come singly. The *Sun*, which has for more than a year supported Mr. Greeley ardently both for the Comptrollership of the State, for the Mission to England, and, if we are not mistaken, for the throne of Spain, throws him overboard, and declines to recommend him further for any office of dignity or emolument.

The annual "Fenian Scare" seems once more to be impending, and the Canadians are making somewhat ridiculous preparations to meet it, including the organization of a small army of regulars and volunteers. The Fenian force, we need hardly say, is nowhere visible; and the truth about the Fenian movement seems to be this: A certain number of Irish gentlemen, of vivid imaginations, limited means, and unlimited brass, and a small amount of education, have, ever since 1866, got a living by keeping up a simulacrum of a "government," making purchases of arms, and pretending to be getting an "invasion" ready. By means of the impression this outward show makes on the Irish servant-girls and laborers in various parts of the country, they have succeeded in getting an annual revenue, varying in amount with the degree of excitement they are able to create, and this they divided amongst themselves. The first batch of "statesmen" started in fine style on Union Square, in 1866, but had to go shares with "the men in the gap," as their confederates in Ireland were called, and came to grief after having committed some robberies in Canada and hauled down the flag of one English schooner in Buffalo. They were then deposed, leaving about \$200,000 unaccounted for, and a fresh batch took their places, and began once more "organizing," and holding "councils," and threatening Great Britain, just enough to keep the money coming in. In the regular course of things, when the receipts decline, the party in power have either to "invade Canada" or resign and let others have a chance, and their successors then go on threatening and holding "councils," till the servant-girls get sick of them too. One such crisis seems now to be pending, and the chief officers of the brotherhood have either to "invade" or retire into private life; and as they are said to be entirely dependent on their salaries, it may be readily understood that they would rather "invade." So they are distributing arms in houses along the Canadian frontier accordingly, and seem to be very much in the mood towards the Canadians of the man who, being insulted in a private room, requested his enemy, significantly, to "step down into the street and wait till he came."

The press of the Canadas is as completely devoted to the interests of this or that Canadian politician and placeholder as was the press of this country in old Federalist and Republican days, or Jacksonian and anti-Jacksonian days, when hotel-keepers used to refuse a feed to the horse of a traveller of opinions opposed to their own, and men's wives

spoke to each other or cut each other accordingly as their husbands agreed or disagreed in politics. It is for the interest of Canadian politicians—a class that has nothing to learn from the worst politicians of this or any other country—that their fellow-citizens should see in the United States a vulgar, greedy, unscrupulous, scheming enemy, so hungry for Canada and so enviously hateful of England that nothing would please it better than to turn loose on the other side of the border a horde of Fenian murderers. The assembling, therefore, of the Fenian Congress at Cleveland has been a godsend to them, and one is disposed to think they will do little to allay the agitation into which it has thrown the Dominion. Meantime, as if to help in explaining Sir J. A. McDonald's speeches and the action of the Dominion Government, the annexation movement in the maritime provinces increases in strength and is expressed fearlessly, Annexation Leagues being in existence in Nova Scotia and New Brunswick, and every league having behind it a body of opinion, acquiescent or actively favorable, in comparison with which the actively loyal opinion of the native Provincial communities is feeble.

Miss Virginia Penny, who has done a good deal in her day for woman's wrongs, writes a long letter to the Cincinnati *Commercial* making sundry charges against the more prominent woman's rights women. She says they never, in their historical sketches of the movement, or in their mutual eulogies, make any mention of Ann McDowell, who established the *Woman's Advocate*, and was last seen, twelve years ago, living miserably in a garret; or to Dr. Maria J. Dewnett, who established the *Women's Journal* in 1854, and died working for it; or of Emily Howland, of whom the late Thomas Brady (J. T.?) said she was as well versed in the law as most male practitioners, and to whose personal exertions at Albany it was owing that the bills were passed which first in this State gave women a right to their earnings, and boarding-house keepers a right to detain the baggage of delinquent and departing boarders. Miss Penny asks what has Miss Susan B. Anthony ever done for her sex which can compare for one moment in real value with these two enactments. She is also very severe on Mrs. Stanton, Parker Pillsbury, Theodore Tilton, and other brethren and sisters, against whom she openly brings a charge of "great cry and little wool," or words to that effect. The sum and substance of her accusations is, that they all advocate the suffrage, as something which will bear an indefinite amount of speech, but avoid practical reforms, which need a great deal of work, and speech only in small degree.

Mr. Charles Levi Woodbury, a leading Democrat of Massachusetts, has recently made a speech urging the abolition of two provisions of the State constitution which are much disliked by the Democrats, namely, that which imposes on the intending voter the necessity of paying a poll-tax before his name can be put on the voting list, and that which excludes from the ballot-box the vote of a citizen unable to read and write. The figures which Mr. Woodbury gives are of some interest. The whole number of legal voters in Massachusetts is 262,120. Strike out of the constitution the clauses above-mentioned, and there would be admitted to the polls 55,050 additional voters—45,050 now excluded for non-payment of taxes, and 10,000 who cannot read and write. If the former seems a large number, the second certainly seems small when it is recollected how large a percentage of the population of the State is foreign-born. But we must add to this 10,000 a large part of those 9,000 inhabitants who are excluded on the ground of alienage alone, and for whose exclusion there is probably the other reason also. Moreover, it is to be remembered that in the practical application of the reading and writing test there is often much that is farcical; for the places are not few in Massachusetts in which a lively faith in the value of the test is decidedly wanting, and where a man secures his right to vote by about as much knowledge of reading as used to be required for saving a criminal's life by the reading of the "neck verse." The largeness of the number—45,050—who are excluded from voting by the non-payment of taxes is rather more surprising, at first sight, than the fewness of the illiterate; but doubtless the figures mainly represent "town poor," and do

not reflect so severely as might be supposed on the energy and enterprise of the party managers, who in Massachusetts, as elsewhere, have no extreme delicacy of scrupulousness as to robbing the cradle and the grave when the exigencies of the campaign require it. Mr. Woodbury's arguments are not so interesting as his statistics, the enormity of allowing "a two-dollar poll-tax and a reading and writing clause to stand between the citizen and the ballot-box" not being made patent by the speech. On the practical point, on the facts as they are, on the practical working of the Massachusetts system, no doubt a forcible argument adverse to the system might be made. But of the ballot-box in its capacity of magician and miracle-worker it is easy nowadays to hear quite enough without calling in the abilities of able lawyers.

There is at last no doubt that Lopez has been killed, and that hostilities in Paraguay are over. We do not know whether it will now be easier or harder to get a just view of the character of this dictator, who has been painted in all colors, and concerning whom two United States ministers, of sound minds, have made the most opposite and contradictory reports. All the positive testimony of English and American victims as to the horrible barbarities practised by Lopez has failed to convince a large body of his admirers that he was anything but a hero and a patriot, or that the "lost cause" of Paraguay differs from that of Poland. But this is by no means singular. Thousands of intelligent and cultivated persons still believe in the Christian meekness of Jefferson Davis, in the righteousness of the rebellion, and the superior humanity of its supporters. In spite of the notorious atrocities of Belle Isle and Libby Prison, Mr. George Long would prefer to dedicate his version of Marcus Aurelius to the leader of the Confederate armies rather than to any other American. For our part, we are content to place Lopez in the same category with Davis. The significant fact of his overthrow, it seems to us, lies in the suppression of a race of tyrants of whom Francia, Rosas, and Quiroga were examples, and who being made impossible for the future, Spanish America of the South is free to develop in the spirit of the highest civilization of the age. Uncertain as is the destiny of Brazil, the colonization of that Empire from Europe, and especially from Germany, is heaviest in its southern provinces; and these, if ever the freedom to commerce of the Plate River is to be disputed again, are likely to play an important part in keeping open that international highway. On its side, the Argentine Republic, so long as President Sarmiento is permitted to direct it, will work for the same end. The Pacific railway which it is now contemplating will, if completed, of itself ensure the navigation of the Plate to all comers.

There have been rumors for some weeks that the relations of France and Prussia were growing "delicate," and these rumors have been in some degree strengthened by such small incidents as the arrival of the Grand-Duke of Mecklenburg-Schwerin at Vienna on a visit to the Emperor of Austria. The Duke is a firm friend of Prussia, and it was given out that he came on behalf of that power to make arrangements for a closer understanding between Austria, Prussia, and Russia, in case things took an unexpected turn in Paris. Count Daru, however, as well as other members of the French Ministry, have been "interviewed" on the subject, and they unite in declaring that the intentions of France have never been more pacific, and that she has reduced her army by 100,000 men; and that as war cannot now be declared without the consent of the Chambers, it has not been less probable any time these twenty years. They acknowledge, however, that any attempt on the part of France to hug Southern Germany any closer would wound French "susceptibilities;" and well-informed observers and speculators agree in considering Luxembourg still a bone of contention, which nothing but the self-restraint and prudence of the rival dogs prevent from being dangerous, and over which the fight may yet be renewed. Viscount de la Guéronnière spoke enigmatically in the Senate on Monday in regard to the peace of Europe, saying that Europe was tranquil only when France was satisfied, and in order that France may be content each Power must be in its proper place.

A DEBATE ON THE TARIFF.

ONE unfortunate result of the refusal of our daily papers to report the proceedings of Congress in full is that the people has little or no idea of what its representatives are doing, or, indeed, of what manner of men they are. Verbatim or even extended reports of the debates are only to be found in the *Globe*, and the *Globe* is only to be found in newspaper-offices and reading-rooms, and, we greatly fear, hardly anybody reads it except under the pressure of stern necessity. The consequence of this is, that the public has only the very vaguest notion of the mode in which the Tariff Bill is every year debated and retouched, or of the arguments by which this tremendous annual interference with the prices of commodities and the profits of industry is justified, and of the information or ability possessed by the gentlemen engaged in the work.

We have been for some time on the lookout for a debate long enough and serious enough to deserve notice as a specimen of the way the work is done; but although the tariff has now been under discussion for some weeks, we were not so fortunate as to light on what we wanted till last week. In the *Globe* of Friday, April 15, will be found a perfect sample of the way in which artificial stimuli for native industry are constructed and put into force. Thirty-three gentlemen took part in it, and the subject was hemp and its substitutes, jute and other vegetable fibres, gunny-bags, gunny-cloth and cotton bagging, hemp and jute carpets and matting, vegetable mats and matting, and hemp and jute yarns—all articles with a certain amount of relation to each other.

The first point was, whether it was fair to the Emperor of Russia—who all agreed was entitled to as much consideration as any living potentate, both on account of his friendly conduct during the war and the tremendous number of slaves he had emancipated by his "flat"—to let in Manila grass at \$25 the ton when Russian hemp was taxed \$40 the ton, Russia being entitled by treaty to the treatment of the most favored nation. The discussion on this point took a philological turn, the question being whether the term "hemp" covered the "Manila grass." Mr. Schenck showed they were botanically different things, and that the "Manila hemp" had always been called "Manila grass" till now; but Mr. Morgan showed he was mistaken, the tariff of 1842 speaking of it as "Manila hemp." A paper in the nature of a protest from Mr. Catacazy, the Russian minister, characterizing this distinction as a "lexical subtilty," and which Mr. Banks read to the House, called down severe animadversion as an attempt on the part of Russia to "dictate legislation," while Mr. Beck, of Kentucky, said that to lower the duty on hemp would be an "outrage on humanity," owing to the number of poor men in Kentucky who found employment in manufacturing it. Mr. Johnson, of California, announced that it was universally conceded "that every gentleman on that floor represented the interests of his immediate constituents as nearly as he could, and that, in this matter of regulating duties, he was influenced, like other gentlemen, by selfish and sectional considerations." He then showed triumphantly that unless the duty on hemp was reduced a certain ropewalk in San Francisco would have to go down, being unable to compete with similar establishments in Kentucky and Missouri, and asked whether "that Congress was prepared to say that the people on the Pacific coast should not manufacture hemp into rope or anything else." He then quoted the *Sacramento Union*, to show that San Francisco had 6,000 men out of employment to-day. The attempt to lower the duty on Russian hemp failed, letting the ropewalk go to the wall; but when the duty on Manila hemp came up Mr. Cox opposed it altogether, because of its injurious effects on shipbuilding, while Mr. Logan sought to have it raised from \$25 to \$40 a ton, "to test the sincerity" of the high-tariff men, but he was not successful.

The most interesting part of the discussion was that on "jute butts," however. Jute butts is the lower part of the bark of the jute-tree, and it comes largely from Calcutta. The committee recommend that it be taxed \$10 a ton; Mr. Strong moved the substitution of \$6, and the opposing forces closed. As to the use of jute butts in the arts, Mr. Kelley, of Pennsylvania, informed the House that "its main use was to make bunches for woman's hair, in accordance with the present fashion;" that "it adapts itself to every possible color;"

and that should a lady drop her chignon in the street, and you pick it up and set fire to it, "you will not catch the odor which would be given by the burning of human hair or other animal substance." This account of jute butts, however, did not tally with that given by Mr. Strong, who read a letter from some Connecticut paper-makers, showing that it was used extensively by Manila paper manufacturers in this country, who were all in a bad way, and wanted the duty entirely taken off; and he further added, that it was used in the manufacture of gunny-bags (a very delicate subject), and ought to be taken off for the sake of the gunny-bag men. This caused him to receive a severe castigation from Mr. Schenck, who said "it was the hardest thing in the world to get a Connecticut or other New England manufacturer to understand that raw material produced in other parts of the country was entitled to protection as well as their manufactured article. They will not be satisfied with less than from thirty-five to eighty per cent., while they are not willing to let the West have twenty-seven per cent. for their flax tow and flax straw."

The mention of gunny-bags and gunny-cloth raised a terrible storm. General Butler said we must have cheap jute butts in order to have cheap gunny-bags to move corn, which heats in a cotton, flax, or hemp bag. Mr. Schenck, however, said jute butts was never made into gunny-bags at all, and that corn was never now moved in bags of any kind; while Mr. Kelley, without committing himself on the question of the mode of moving corn, said also that jute butts was never made into gunny-bags, and added that "gunny-bagging is unfit to cover grain," and he was opposed to making any further concession to the paper-makers, who now, he said, are sufficiently favored by having Esparto grass, paper waste and paper cuttings, and rags admitted duty free. Mr. Banks, on the other hand, said the paper-makers in his district were all discontented and were opposed to this mode of dealing with jute butts; which caused Mr. Schenck, figuratively speaking, to dash his hat on the ground, and to exclaim "that he could not find an Eastern manufacturer but what thought his product ought to have the highest possible protection, and everything he made it out of come in free; and this he had heard so often, that, as he had said there one day before, it almost drove him into free trade to listen to what he heard on this subject."

At this stage, a triangular battle ensued over the jute butts. The paper manufacturers want it let in duty free; and so does the Southern planter, who wants cheap covering for his cotton bales; but the Western flax-tow and hemp-tow men say he ought not to have it, because they are entitled to supply him with all the cotton bagging he needs. Their cotton bagging, Mr. Kelley said, was the best because it protected the cotton against "spontaneous combustion." Mr. Schenck said it was the best because, being thick, it protected the cotton from "thieves, and from sparks on steamboats," and thus reduced the rate of insurance one-third; and because, as the cotton planter makes no allowance for tare, the heavier the bagging the more he gets for his cotton—on which principle, let us add, a law taxing cotton so much per pound, and allowing the planter to put a big stone in the centre of each bale, would be defensible. Here Mr. Buckley intervened, however, and (politely) informed Messrs. Kelley and Schenck that they did not know what they were talking about; that insurance had gone down on cotton not because the bagging was thicker, but because iron ties are used in baling instead of rope, and that what the planter gained in tare on the thick bagging he lost through the protective duty; and Mr. Butler informed Mr. Schenck that "the question with reference to gunny-bags, gunny-cloth, and jute butts had nothing more to do with flax than he (Mr. Schenck) had to do with the East Indies." However, the duty was cut down to \$6 per ton.

The jute butts trouble was renewed in the evening, when the gunny-cloth, gunny-bags, and cotton bagging came up. Mr. Schenck wanted protection to the extent of about 35 per cent., and made another bitter attack on the Eastern men for their niggardliness in according protection to the West, and particularly the "flax interest" of that region. Mr. Buck protested in behalf of the cotton interest of the South, and Mr. Butler again floored Messrs. Kelley and Schenck on the cause of the decline of insurance on cotton, alleging that he came from Lowell, where a

good deal of cotton is used, and therefore he knew "how the thing operated," and battled against the duty on bagging as a tax on cotton. Mr. Schenck, however, stoutly resisted, and again assailed the New-Englanders for claiming from 70 to 80 per cent. protection for themselves, and not being willing to allow more than 25 per cent. to others. About this time Mr. Arnell rose to oppose any reduction, and said "he knew all about this matter of cotton baling," and he was going "to upset all the fine theories of the gentlemen from Alabama" (Messrs. Buck and Buckley). It required, he said, "two and a half yards of bagging to put up a bale of cotton;" but here several gentlemen informed him that it took six yards, and then Mr. Arnell confessed he "did not remember the precise number of yards," but he did know that the cotton grower got twice as much in tare as he paid for his bagging. Mr. Logan here cruelly asked him if he knew how much gunny-cloth we manufacture in this country, and Mr. Arnell admitted that he did not, and the hammer providentially falling, he sat down.

General Butler now laid down the doctrine "that where manufactures flourish agriculture goes down;" which caused Mr. Schenck to declare "that he was now prepared for almost anything in the way of political economy from that gentleman," and exposed the New-England members for holding five contradictory opinions with regard to gunny-bagging, and again attacked them for their selfishness about protection. Mr. Winans and some other members here made some very magnanimous remarks, to the effect that the proper thing to do was to protect all interests equally, and then there would be no heart-burning: every man was to give every other as much as he got from him, and then all would be happy and prosperous, though how anybody could be "protected" in this way was not explained. The duty on bagging, however, was not reduced. A curious little surprise marked the close of the debate. The bill proposed to tax matting made from linden-wood bark 15 per cent., and Mr. Schenck said they were very cheap goods, not made in this country, and therefore no protection was needed. But up jumped Mr. Banks, and demanded 35 per cent. on these articles for the benefit of a gentleman named Wakeman, in his district, who made mats out of the pith of the rattans used in making chairs. Mr. Schenck was momentarily overcome by this discovery, but, rallying, pointed out that this paragraph would not apply to Mr. Wakeman's pith matting; but the next, which taxed all "vegetable matting" 30 per cent. ad valorem, he hoped would meet Mr. Banks's case. But it did not. The rattan pith for the Wakeman mats, it is true, costs nothing, but he has to use coir yarn and cocoa-nut fibre with it to make it manageable in spinning, and, these articles being prepared solely by savages, who have "the knack" of it, he demanded that they be put on the free list, and, the House agreeing as to cocoa-nut fibre, he sat down happy. But coir yarn coming up separately, he had another stout fight over it, and got it on the free list too. Thirty thousand yards of the rattan-pith matting are manufactured every year, and as the raw material is now to be had for next to nothing the manufacture bids fair to last for ever, unless some Western man should try to turn American pith to account in the same way, in which case we advise Mr. Wakeman to look out for his rattan pith and his cocoa-nut fibre and his coir yarn.

THE REFORMS IN FRANCE.

THE approaching termination—for so, it would seem, we may call it—of the struggle between the French Emperor and the Liberals is chiefly valuable as an illustration of the great advances the French have made within the last eighteen years in the political art. They have shown an amount of steady persistence and a reliance on moral weapons which they have never in any of their struggles shown before, and there is no doubt that the success of their exertions now must exercise a very great influence on the future political progress of the Empire. Beyond this, however, the struggle has done very little for French society. It has settled no vital question. As regards political liberty, it does not even carry the country quite back to where Louis Philippe left it, in spite of the existence of universal suffrage. The victory is essentially a victory of the bourgeoisie once

more, thus showing how completely the middle classes rule France, and how impossible it is for any government to hold its own which does not possess their support. Parliamentary institutions, as they are called—that is, legislation by deliberative bodies, with a responsible ministry and a free press—are middle-class contrivances. They have never got any hold in France on the minds either of the peasantry or workingmen. The peasantry since the Revolution have wanted, in the way of government, a power that would secure them in the possession of their freeholds, with a strong hand, and with as light taxes and as little conscription as possible. About its form they were not very particular, but naturally preferred something simple, and nothing is simpler than a dictator. The workingmen of the towns, on the other hand, while preferring "a democratic and social republic" to any other form of government, do so solely because they consider it the only form of government under which that total reorganization of society, which has been their dream for eighty years, can be carried out. They want a more equal division of property, if not the abolition of property, or, at all events, the reduction of society to a sort of partnership with unlimited liability, and equal share in the profits for all; and any government which promises this they are willing to support. But for freedom of speech, and the ordinary "constitutional guarantees," as long as the rule of competition is allowed to prevail in trade, and distinctions of class and comfort in society, they care little or nothing. They distrust almost any liberal with a black coat, and look with horror on that "free play of the individual faculties" which the Favres and Olliviers make the goal of their striving.

Now the *coup d'état* of 1851 was an attempt to throw aside the middle class, with its writers, talkers, and "thinkers," and to set up an empire with the aid of the peasantry and workingmen. The peasantry were kept in good humor, partly by security and partly by an alliance with the priests, and the workingmen by means of a lavish system of internal improvements, set on foot with loans, made annually, and almost without responsibility to anybody. Curiously enough, the very centralization which made the scheme possible, and for a while successful, ultimately proved its ruin. One of the results of the long-protracted concentration of the powers of government in Paris has been that the brains of France are concentrated there also, and the opinions of the educated class—that is, of the men of intellect merely—have a force such as they possess in no city in the world. Moreover, opinions find expression through social life as they find it nowhere else, and the Emperor discovered, after he had successfully accomplished the *coup d'état*, that his own residence was in the midst of enemies from whom there was no escape, whom he could not silence, or dazzle, or hoodwink. The Parisian literary men, lawyers, students, shopkeepers, accordingly went to work at him, and, after eighteen years of incessant fire, they have broken him down. The army and the peasantry could not save him; and, as his friends died off, and the new generation, taught in the nursery to hate him, began to fill the colleges, and courts, and newspaper offices, he perceived himself unable to continue the game, and has retired from the field. The possession of a wife and child of course made him trebly sensitive—how sensitive we may conjecture from the fact that Paul de Cassagnac, a brutal bravo, is a favorite at court, owing to his readiness to fight duels with the newspaper enemies of the Bonapartes. No civilized beings, not driven to bay, could make such a man welcome in the family circle, and there are not many communities in which somebody would not by this time have felt it his duty to dispose of him as a wild animal. He owes his life, worthless as it is, to the French reverence for "the code." In South Carolina and Mississippi, he would long ago have been taken off from behind a tree.

The recent reforms, known as the *Senatus-Consultum*, are in reality a restoration of the parliamentary régime, and therefore—until the peasantry take a different part in politics from what they do now—of middle-class government. Even the great towns show no fancy for the extreme radicals, owing to their late excesses: Fonvielle, fresh from the trial at Tours, has just been defeated by a large majority at Lyons; and the peasantry will, for a long time to come, always send to the legislature local magnates, lawyers, landed proprietors, and successful manufacturers. The Emperor is trying to cover his defeat by in-

sisting on submitting the *Senatus-Consultum* to the people, by ordering a "plébiscite," on the question: "Do the people desire constitutional reforms in 1870 which assure liberty, placing it under the guarantee of the Empire and the dynasty?" Should the majority be in the affirmative, as it certainly will, it will take away from the transaction the appearance of a surrender on the part of the personal government, but its failure and overthrow will be none the less real.

The burden of dealing with questions of social reform, which are still, as they were in 1848, the serious question of French politics, and which troubled the Republic even more than they troubled the monarchy of Louis Philippe, is now thrown back once more on the shoulders of the bourgeoisie, and it is hard to see in what respect they are better fitted to deal with them than they ever were. They have, it is true, the basis of government greatly broadened, and a vast body of the population armed against socialistic revolution, who, in 1848, were indifferent, and they are sensible of the necessity of pushing on the work of education to a much greater degree than their predecessors were. On the other hand, the socialist organizations were never so strong, or their influence so widespread, or their confidence in their doctrines so deep, as now. Moreover, the dynastic question may any day, by the death of the Emperor, assume an aspect of tremendous gravity. The Emperor's reign has unquestionably killed the Bonapartist sentiment in France, by exhibiting to the country a large tribe of Bonapartes who are not fighting men, and, indeed, excel in no art except that of spending money belonging to other people. Its place has been taken amongst the young men of all classes by positive hatred and contempt; and the succession of the Prince Imperial, therefore, becomes exceedingly problematical, and the parliamentary majority which has to deal with it will also probably have to decide, not only who shall be the next monarch, but whether the government shall continue to be monarchical. Those who know the French character best insist that there is in this matter no room for choice; that whatever in Frenchmen's eyes represents the French nation must be dignified, well-dressed, pompous, and ceremonious; that a cheap and plain government must always excite their scorn and ridicule; and that if they have a republic they will always surround the executive officer with the trappings of royalty, and with temptations to make himself king.

PLAIN DEALING WITH THE RECORDER.

LIKE our daily contemporaries, we are dying to express our opinions on the McFarland case. We had our minds made up after the first day, and have only refrained from speaking out about it from a regard for the decencies of our position, which forbid comments on a case still in possession of the jury. The hardship of having to contain ourselves so long is, however, obvious, and constitutes the strongest objection to the course pursued by the defence. With so many journalists waiting eagerly to sum up, the production of so much evidence is worse than a blunder. Feeling it to be impossible to let the affair alone any longer, however, we have looked carefully at it with the view of discovering something in it which we might single out for comment, without touching on the merits of the case, and, after much deliberation, have come to the conclusion that the Recorder himself was the safest topic we could select. He is not engaged on either side, and has no interest in the issue. Moreover, we help to pay him for acting as Recorder on this and divers other occasions; and, though he is nominally responsible to "the people" for his official behavior, the people is so busy that it is quite willing to let anybody abuse him that likes to take the trouble. What we decided might be said to him, without prejudice either to the prosecution or defence, was something of this kind—and we give notice to our daily contemporaries that, as it is intended to carry us along until we get a chance at the whole case, including McFarland and all the witnesses, it must not be reproduced till the trial is over and we have again delivered ourselves:

"You are employed by the people of this State not simply to decide points of law as they arise in causes heard before you, or to charge the jury, or fix the punishment of criminals, but to preserve order in court. By preserving order in court is not meant the enforcing of good behavior on the part of the audience simply, but on the part of the bar, and especially of that portion of the bar which is engaged in the case on trial, on one side or other. The faithful discharge of this particular part of your duty is rendered all the more imperative by the fact that the bar, unfortunately,

has been left without the means of enforcing any discipline of its own. It cannot expel, censure, or in any manner punish any of its members, however offensive or disreputable their conduct may be, which is the more to be regretted, as of course nobody but lawyers can understand or administer the ethics of the profession, or become thoroughly acquainted with the misdeeds of their colleagues. The judges, therefore, are saddled in this country with the task of seeing that the peculiar privileges which the law accords to advocates speaking in open court shall not be abused. If a blackguard assails me with billingsgate in the City Hall Park, I can knock him down, or, if I consider a proceeding of this sort imprudent, hand him over to a policeman. If he tries to blacken my reputation, I can prosecute him criminally, or sue him civilly, or do both, just as I please. But if he should happen to be a lawyer, and come into your court, and say of me, in the discharge of his official duties, what he had been saying of me outside, I lose all my remedies. If I knocked him down, you would commit me for contempt; if I appealed to a policeman, he would laugh at me, and turn me out of the court-room for making a noise; if I sued him, he would plead his privilege. Consequently, I have no protection but what I get from you. If I should happen to be a woman, I am doubly defenceless. If I am a man, I may, when the trial is over, disregarding the sacred character of my assailant, and the privileged nature of his communications, cowhide him to the best of my ability; but if I am a woman, I can only go home and cry, which, when one has been insulted by a ruffian, is but a poor satisfaction. It is thus very plain that your manner of discharging the duty of preserving order in court is a very important and delicate matter, not only to those who are mixed up in the cases tried before you, but to everybody in the community. We may any of us, any day, be mixed up in a criminal case. I may have a friend who commits a forgery, and my letters being found in his trunk may convert me into a witness as to some of the circumstances connected with his crime. Or I may be walking down Broadway, and suddenly and unawares see a nose pulled, by a person desirous of "establishing caste in America." I go to the police court, as my duty is, to testify, and finally come into your court—a perfectly respectable, innocent, and public-spirited man. You are bound to see that no greater injury is done either to my feelings or reputation than the necessities of the case require; that neither the counsel for the defence, nor the counsel for the prosecution, uses me, either to harrow up the feelings of the jury or as a *corpus vile* for the gratification of his own love of vituperation. In short, I have rights of which you are the guardian.

"Besides this, as a criminal judge of considerable experience, you are tolerably familiar with the members of our criminal bar. The leaders, in particular, of that select and venerable body you know well. Of their learning, fidelity, scrupulousness, and delicacy it is not our purpose here to speak. They have, however, a dark side to their nature, with which you are as familiar as anybody can be. You know how hard a struggle with it they have most of the time, and how often it gets the better of them; and probably nobody is as much surprised by decent behavior on their part as you are yourself. You know, too, that when engaged in a notorious case, they find decent behavior next to impossible; that the depraved love of notoriety by which they are all devoured gets completely the better of them; and that it is more than they can do to avoid turning your court into a political meeting, and occupying the day with harangues, addressed one-third to the jury, and two-thirds to their brother-blackguards in the crowd outside the railing. You ought, therefore, to help them to be decent. You cannot improve their rhetoric or their law; you cannot prevent their making fools of themselves; but you can see to it that they do not assail the character of persons who are not in the case; and, at all events, that they do not assail anybody's character grossly on the strength of *proof still to come*. You have no right to let a poor rowdy, clothed with the functions of an advocate, get up in court, and, opening his case, speak of me, a witness or outsider, as a thief or perjurer, on the strength of evidence he has still to offer, and which *he may never offer at all*. Your permitting such things—and you have permitted them—places everybody at the mercy of the most unscrupulous and foul-mouthed class in the community.

"There is, we admit, one excuse for the stolidity with which you have witnessed some of the scenes in your court-room during the last few days. One of the jurisconsults, whose fantastic freaks you have tolerated, is not simply an Old Bailey lawyer, with the weaknesses peculiar to that well-known forensic type, but also a prominent political leader. He is, moreover, a leader of the party which numbers in its ranks a large part of the 'intelligence and virtue' of the city, and which has nothing but scorn

and reviling for the poor, ignorant Irish, who follow the lead of Tweed and Sweeney and the like. You have probably recently seen an engraving in *Harper's Weekly*, representing them landed like slaves, branded on the wharf, and then whipped to the polls, and you must confess there was a good deal of truth in the picture. But then, we fear, you have occasionally, you sly fellow, stolen out on an election evening to the Cooper Institute, or other place of political gathering, and watched the proceedings of the Republicans there, when wrought up to the highest pitch of rejoicing or anxiety by the arrival of the returns, and you must acknowledge that a more intelligent or respectable-looking audience you never saw. It is a long while since your eye rested on anything like it in Tammany Hall. You must have noticed that, on all these occasions, the foremost man, the director of the exercises, the man who touched our heartstrings, was that old vituperator with whose tricks in the criminal courts you are so familiar, and for which, in the present instance, you are responsible. We fear, from the roguish look in your eye, that you were there, too, the night he led us in the Doxology, and you must have wondered, as some of us did, what the Lord thought of the performance, and why he did not let the roof down on us, and put an end to it. You are aware, too, that the same worthy is a very active and prominent member of the 'gangs' who now direct the operations in this city by which we Republicans 'save the fruits of the war' and defend 'the rights of man,' and you were, doubtless, aware that he was opposed to the passage of the late judicial Amendment to the Constitution, and, by way of marking his disapprobation, neglected to provide ballots for his Republican brethren, and thus deprived it of thousands of votes in this city. Knowing all this, and seeing what a high place he still holds in our councils, I am afraid you laughed in your sleeve when he was blackguarding Republican writers and ministers in your court the other day, and making decent Americans blush, by telling us what bloody deeds he would commit if his wife should so far forget herself as to play him false; but then you must remember you are, after all, a judge. *La robe oblige*. Have your joke, but not in court."

ENGLAND.

LONDON, April 1, 1870.

THERE generally comes a period of the Parliamentary session at which the zeal of our legislators begins to fail, and preparations are made for abandoning some of the work which they had undertaken in pure gaiety of heart. A crisis of this kind has come on rather prematurely. Men's hearts are failing within them at the thought of the labors which will be necessary to pass the Irish Land Bill, the Education Bill, the University Tests Bill, and the various other bills which have been promised. Meanwhile, the Peace Preservation Bill has suddenly occupied a large space of time, and, though it has been pushed through the House of Commons as rapidly as possible, has occupied six or seven precious days. Mr. Gladstone had, consequently, to make a speech last night, proposing to lengthen the daily sittings—an expedient generally reserved for a later period of the session. The great majorities at the disposal of Government give them unusual powers of pressure; and we may hope that, in spite of all difficulties, some really good work will be performed this year.

Meanwhile, however, certain troubles, of which I have more than once spoken, do not seem to diminish. The measure for enforcing peace in Ireland passed almost unanimously, and with nothing but the inevitable protest from a few of the more extreme members; and, painful as is the necessity, I do not think the bill could be seriously blamed. A strong government is simply essential in such circumstances, unless we are to give up government altogether. The state of feeling, however, which rendered the measure necessary is serious and significant. It implies that the Land Bill, however gratefully it might have been accepted some years ago, is not about to conciliate Irishmen speedily or thoroughly. The Roman Catholic bishops have pronounced against it; rather, I suspect, against their will, but unable to resist the pressure brought to bear upon them. It would seem, in fact, that, after the bill is passed, Ireland will, for the time at least, be as much disaffected as ever, and we shall again have to adjourn our hopes of improvement to the slow operation of time and firm government. We have, in a sense, made our last bid, and the existing agitation will be deprived of one of its pretexts; but as it will hardly be suppressed for many years to come, it will most likely appear in another shape. Probably the next demand may be, in one form or other, for the repeal of the Union, and a troublesome future is undoubtedly before us.

In another direction there is a difficulty, which may be surmounted or which may be the precursor of more serious troubles in future. The Government have not pacified the English radicals, and they are beginning to

wax warm in the matter of the Education Bill. Mr. Mill made his first appearance since last year at a great meeting in St. James's Hall, and announced a very uncompromising hostility to certain provisions in the Government bill. The question most eagerly discussed is that which bears upon religious instruction; and the radicals, headed by Mr. Mill, demand substantially that no school aided in any way by the public funds shall give any religious teaching whatever. They do not, in general at least, object to the use of school-buildings by members of the different sects, but they declare very emphatically that neither directly nor indirectly shall taxes be imposed for the benefit of any form of dogmatic teaching. Government has held out hopes of accommodation, which will probably surmount the immediate trouble; but the dispute is one of which we shall not for some time hear the last. The difficulty is, in one sense, common to England and to most other countries where there is any system of national education; but there are circumstances which here give it a special significance. The existence of a national establishment, which scarcely represents even a majority of the nation, causes an additional feeling of jealousy; and the battle over denominational education may be, and I believe that it is, the first symptom of a direct attack upon the establishment. It is often said, and with great apparent truth, that it can matter little what doctrines are taught to children, who will most certainly never appreciate the difference between the dogmas of the Church of England and other Protestant sects. Teach them any creed you please, and the results will practically be much the same. But, if this is true, it fails to meet the real point of the difficulty. The struggle is, not as to the dogmas to be inculcated upon the children, but as to the body which is to derive all the influence naturally accruing from the management of education. The national clergy say in substance, Let us manage the schools, and we will make any provision you please to secure the consciences of the children; they shall be allowed to absent themselves from the religious part of the instruction, or even to receive it in our schools from the teachers of their own sects. The dissenters feel that, as long as the Church has substantially the management of the schools, it will also possess a strong additional claim upon the nation at large; and the sense that this is so, though not often avowed, gives additional bitterness to the dispute. I will not now go into the way in which the special provisions of the bill would affect this question; the case is rather complicated, and I shall have to refer to it in future. At present, I will only say that, whereas the Church of England has hitherto had almost a monopoly of the schools in rural districts and a preponderant influence elsewhere, it is likely enough to be deprived of this in great measure, and the position of the Church will, in consequence, be very seriously affected.

Meanwhile, there is manifestly a growing jealousy of the Church from without, and many forces are working towards its disruption from within. One curious symptom is a bill which has lately been introduced, called the Burials Bill. A clergyman is compelled to bury dead dissenters, except in certain special cases—as, for example, if they have not been baptized; but he reads the Church service over them, to which in some cases the relations may object. In the towns the difficulty seldom occurs, owing to the provision of cemeteries and the shutting up of the old churchyards. But in the country, and especially in Wales, where the dissenters are in a vast majority, there is occasional trouble. The dissenters now declare that they have a right to the churchyards, and claim to be buried there with such ceremonies as they may choose to adopt. So long as they do not give wanton offence to their neighbors, the claim seems to be reasonable enough. It goes, however, by obvious implication to much greater lengths. If a dissenter has a right to a churchyard, why not to a church? The theory of the English law is, that every English subject is a member of the national church. Formerly, he might be punished for not attending the services or conforming to its rites. The struggle, which lasted for centuries and is not everywhere perfectly settled, was to get rid of these penal laws, and a man may now do just as he pleases in almost every respect. But the struggle is gradually assuming a different shape; the dissenter, being relieved from the negative disqualifications, is beginning to assert a right to the positive advantages. He says, and all liberals agree with him, in theory, that the national church is part of the national property, and should be used for the good of the nation at large. He applies this principle to the case of churchyards, and, in one shape or other, his request will be probably conceded; but he will naturally apply it before long to matters which touch us more nearly, and then we may look out for some very lively contests. The Burials Bill is a trifle; but it is one of those trifles which show in what way the wind is beginning to blow, and I have therefore thought it worth a few lines.

In one other direction, the radicals have lately been indulging in a grand field-day. The advocates of women's rights have been holding a large meeting to advocate female suffrage. Various ladies made speeches, which were not very brilliant contributions to the question, but curious as indications of sentiment. The chief orators were Mrs. Grote, the wife of the distinguished historian, Mrs. Fawcett, the wife of Professor Fawcett, member for Brighton, and one of the most conspicuous of our younger radicals, and Miss Taylor, the stepdaughter of Mr. Mill. Mrs. Fawcett was, perhaps, the best speaker, though I think the general opinion was that the ladies had not shown such powers of eloquence as to make us very deeply regret their present exclusion from political power. The arguments were such as are tolerably familiar in America, though put forward, if I may venture to express an opinion, with rather less extravagance than is sometimes noticeable in similar productions on the other side of the Atlantic. I will not say anything about the merits of the movement, merely confessing, to avoid any unfair inferences, that I am what may be called an imperfect sympathizer. I think, that is, that we are in need of great changes in the matter discussed; but I do not think that women would be much, if at all, the better for votes. The way, however, in which the discussion is here conducted deserves a little attention. In the first place, it is clear that the advocates of women's rights have made very considerable progress. They cannot be said to have public opinion with them; but it is not very decidedly against them. Many conservatives go a long way with the ladies, and the old tone of unsparing ridicule has pretty much fallen out of use. I believe that I am right in saying that even Mr. Disraeli is considered as more or less in favor of female suffrage; and it is remarkable, in reading the arguments upon the subject, to notice that, whilst the advocates of women's rights take up a very strong and definite position, and argue it with considerable ability, their opponents are generally content with expressing a kind of inarticulate dislike, but rather shrink from adopting any decided ground of hostility. I do not expect any legislation in the present session, but it seems at least possible that before long the zeal of the reformers may prevail over the rather uncertain opposition of conservatives, and that we may have ladies voting for members of Parliament. I do not, as I have said, regard the proposal with much favor, and there is a considerable majority, at the present moment, who would regard it with very great dislike; but I must admit that the current of opinion at the present moment seems to me to be rather towards the change than against it. The radical zeal will, as I calculate, be more than a match in the long run for the conservative indifference and dislike.

I mentioned, some time ago, a rumor that the surplus for the present year was to be six millions. That was a very large sum, but it seems that I was not so far wrong as might be supposed. The national income for the year was £75,434,252, and the national expenditure £66,208,334; from this surplus, a sum of £4,000,000 has to be deducted for the Abyssinian war, and, making certain other allowances, it seems that the actual surplus will be something over £3,000,000. Starting from these figures, it appears that the surplus for next year may be reckoned at more than five millions. We are naturally anxious to know what is to be done with the sum, and what taxes are to be reduced. Our doubts will be cleared up on Monday week, and meanwhile it is pleasant to note the symptoms of a gradually returning commercial prosperity.

Correspondence.

THE LEGAL-TENDER QUESTION.

TO THE EDITOR OF THE NATION:

SIR: It seems that the Attorney-General, Mr. Hoar, whom you characterize, no doubt justly, as an able lawyer, has succeeded in his effort to have a reargument in some form of the legal-tender question before the Supreme Court of the United States.

Mr. Editor, how can any person versed in the history of the times of the Constitution of the United States, and of that instrument itself, have any doubt with reference to the power of Congress to make paper money a legal tender? Is it a *granted* power? Certainly not; for there is no expression in the Constitution that favors such an assumption. Is it an incident of any granted power? That is another question; but it was settled in advance by those who made the Constitution, if they were competent to settle anything against construction. In support of this, I refer

you to what took place in the Convention in relation to giving Congress the power to issue paper money.

On the 6th of August, 1787, the committee of detail (as it was sometimes called, and sometimes the grand committee, and to which had been referred the several propositions or features of organic law) made a report of a plan of government, the seventh article of which contained a statement of the powers to be conferred upon the national legislature, one of which was "to borrow money and emit bills, on the credit of the United States" (vol. v. "Elliot's Debates," page 378.) On the 16th of that month, when the plan was before the Convention for consideration, the following took place (page 434):

"Mr. Gouverneur Morris moved to strike out 'and emit bills on the credit of the United States.' If the United States had credit, such bills would be unnecessary; if they had not, unjust and useless.

"Mr. Butler seconds the motion.

"Mr. Madison.—Will it not be sufficient to prohibit the making them a tender? This will remove the temptation to emit them with unjust views; and promissory notes, in that shape, may in some emergencies be best.

"Mr. Gouverneur Morris.—Striking out the words will leave room still for the notes of a responsible minister, which will do all the good without the mischief. The moneyed interest will oppose the plan of government, if paper emissions be not prohibited.

"Mr. Gorham was for striking out without inserting any prohibition. If the words stand they may suggest and lead to the measure.

"Mr. Mason had doubts upon the subject. Congress, he thought, would not have the power unless it were expressed. Though he had a mortal hatred of paper money, yet, as he could not foresee all emergencies, he was unwilling to tie the hands of the legislature. He observed that the late war could not have been carried on, had such a prohibition existed.

"Mr. Gorham.—The power, as far as it will be necessary or safe, is involved in that of borrowing.

"Mr. Mercer was a friend of paper money, though, in the present state and temper of America, he should neither propose nor approve of such a measure. He was consequently opposed to a prohibition of it altogether. It will stamp suspicion on the government to deny it a discretion on this point. It was impolitic also to excite the opposition of all those who were friends to paper money. The people of property would be sure to be on the side of the plan, and it was impolitic to purchase their further attachment with the loss of the opposite class of citizens.

"Mr. Ellsworth thought this a favorable moment to shut and bar the door against paper money. The mischiefs of the various experiments which had been made were now fresh in the public mind, and had excited the disgust of all the sensible part of America. By withholding the power from the new government, more friends of influence would be gained to it than by almost anything else. Paper money can in no case be necessary. Give the government credit, and other resources will offer. The power may do harm, never good.

"Mr. Randolph, notwithstanding his antipathy to paper money, could not agree to strike out the words, as he could not foresee all the occasions that might arise.

"Mr. Wilson.—It will have a most salutary influence on the credit of the United States to remove the possibility of paper money. The expedient can never succeed whilst its mischiefs are remembered; and, as long as it can be resorted to, it will be a bar to other resources.

"Mr. Butler remarked that paper was a legal tender in no country in Europe. He was urgent for disarming the Government of such a power.

"Mr. Mason was still averse to tying the hands of the legislature altogether. If there was no example in Europe, as just remarked, it might be observed, on the other side, that there was none in which the government was restrained on this head.

"Mr. Read thought the words, if not struck out, would be as alarming as the mark of the beast in Revelation.

"Mr. Langdon had rather reject the whole plan than retain the three words 'and emit bills.'

"On the motion for striking out, *New Hampshire, Massachusetts, Connecticut, Pennsylvania, Delaware, Virginia,* North Carolina, South Carolina, Georgia*, ay, 9; *New Jersey, Maryland*, no, 2.

* "This vote in the affirmative by Virginia was occasioned by the acquiescence of Mr. Madison, who became satisfied that striking out the words would not disable the Government from the use of public notes, so far as they could be safe and proper; and would only cut off the pretext for a paper currency, and particularly for making the bills a legal tender, either for public or private debts."—*Notes by Mr. Madison.*

"The clause for borrowing money was agreed to *nem. con.*

"Adjourned."

Now, it would seem as if the above extract from the debates in the Convention ought to be conclusive to any fair mind that the power to issue paper money, *as currency even*, much less to make it a *legal tender* for any purpose, is not among the incidents of any granted power. It therefore has no valid existence whatever.

How can it be possible, in view of the above evidence from the debates, that Mr. Hoar can hope for a reversal of the late judgment of the Supreme Court? To my mind the wonder is, that the Court could find any reason for deciding in effect, as they did, that any contract payable in *lawful money* could be discharged by the tender of Government promissory notes, though called lawful money. C.

April 11, 1870.

A WORD FOR DR. TEMPLE.

TO THE EDITOR OF THE NATION:

SIR: Knowing as I do many of your readers who take deep interest in all Dr. Temple's actions, I hope you will allow me to take exception from this side of the water to what your London correspondent says in your number of March 3. With all that your correspondent says of Dr. Thirlwall and of the situation of the English Church, I more or less agree; what he says of Dr. Temple I feel sure is calculated to mislead. After absolutely declining during all the agitation, which continued unceasingly against him from the moment of his recommendation to the moment of his consecration at Westminster, to say one word which could imply that he disagreed with the writings included with his own in the volume of "Essays and Reviews," he was at length induced to make a private statement to a friend of one of his archdeacons, that he did not mean to publish any more editions of his essays. This archdeacon, bursting with the news, gets up, as you say, in Convocation, and there announces that he is "authorized to declare that the essay will be withdrawn from any future edition of 'Essays and Reviews.'" Authorized, I would remark, not by Dr. Temple, but by Dr. Temple's less discreet friend. Your correspondent possibly had not time to make it clear that it was on the next day Dr. Temple expressed his deep regret at such an announcement having been made, and added that he believed "Essays and Reviews" had done a very important work in the Church. I believe that he feels, and rightly feels, that the book *per se* is no more worth preserving than is the celebration of the 5th of November. And I do not the least believe that Dr. Temple at all confesses that he has been wrong in permitting his essay to be published hitherto. If he did, I should agree with your correspondent, and say that he is not free from the fault of bigotry or effeminacy. So much as regards the withdrawal; on the question of Dr. Temple's speech and the terms in which he spoke of the bishops, I would say but few words. The generosity of Dr. Temple's nature is so great that he is incapable of playing a game. Whilst Head-master of Rugby, he was systematically opposed, socially and officially, by a large body of the trustees of the school. And yet when the proposal for altering this body came before the Public School Commission, Dr. Temple went up personally to declare that it would be impossible to find a better set of trustees than the very men whose one aim has been, before and since, to thwart his labors.

If generosity is effeminacy, Dr. Temple is effeminate. But surely there are not many men in the world who, with their opinions orthodox, would have stood out such a clamor as Dr. Temple did in order to test the full strength of the law in his favor. The fact remains that Dr. Temple has forced the English clergy to accept an "Essayist" on the bench of bishops.

I do not doubt that he will be equally liberal and broad-minded in his conduct as bishop. And his conduct is all the more manly because personally he is so orthodox, and that broadening of church tests which he insists upon so forcibly will afford him individually no relief. I must apologize for thus attacking your correspondent, whose opinions on our politics I regard with the greatest respect. But his account of the events in Convocation makes much of Dr. Temple's speech, and has hitherto omitted the explanation forced upon him by the previous action of an injudicious subordinate.

And, as I said before, I know many of your readers to whom Dr. Temple is more than a name, and to whom, I may add, Dr. Temple himself would be very sorry to seem to have deserted the liberal cause.

HENRY LEE WARNER.

RUGBY, March 20, 1870

Notes.

LITERARY.

MESSRS. G. P. PUTNAM & SON have in preparation and will shortly issue the following reprints of English works: "The History of English Poetry, from the Eleventh to the Seventeenth Century," by Thomas Wharton, D.D., in one volume octavo; "A New School History of England," by the author of "Annals of England;" "The Diary and Correspondence of John Evelyn;" "Geology and Revelation, or the Ancient History of the Earth," by Gerald Molloy, D.D.; and Charles Kingsley's "Madam How and Lady Why." They have also ready for publication a volume of essays by Mr. Parke Godwin, to which he has given the title, "Out of the Past."—Mr. P. O'Shea, of this city, will publish in June Lacordaire's Conferences, delivered in Notre Dame, making one octavo volume, handsomely bound, and containing a steel portrait of the distinguished author. —Messrs. Charles Scribner & Co. publish next month a work called "Lifting the Veil," which is another attempt to anticipate the hereafter, not without reference to the duties of this life. *Hours at Home*, it is announced, will shortly make public for the first time a long series of letters of Charlotte Brontë, which will undoubtedly be read with interest.

—Almost all of the magazines have lately been taking steps to add to their attractions, and we believe none has not succeeded. The *Galaxy* has just laid hold of Mark Twain, who will make a department which will be very widely read and doubtless much liked; *Harper's* has recently begun to give a very fairly good digest of scientific news from all parts of the world; *Hours at Home* wisely prints Mr. Welford's bibliographical literary letter from London, and besides shows improvement in its "Leisure Moments;" the *Catholic World* grows perceptibly lighter and more literary, and what with Aubrey de Vere's poetry and the new classical novel it may safely promise itself a good degree of attention; *Putnam's* has a new editor whose "Editorial Notes" will no doubt be much copied and liked by many people; and now comes the *Atlantic* proposing a desirable change. How good were the *Atlantic's* book-notices in the first days of the magazine many readers will remember very well. Almost for the first time in the history of our magazine literature our books and authors then had passed on them enlightened, careful, and impartial judgments, serviceable to the writing fraternity as well as to the reading world. Then after a year or two there was a time of rather feeble reviewing, and people no longer turned to the *Atlantic's* book-notices with expectation of benefit and pleasure. Following this period came the present period, during which, in the hands of Mr. Howells, the critical department has had very nearly its ancient value, and perhaps even more than its former capacity of giving pleasure. It is the intention of the publishers that this department shall be considerably enlarged—an intention which we feel sure will be heartily welcomed by a very great number of the readers of the magazine; indeed, we should not blench greatly at saying that there is not one reader of it but could put his finger on twenty or thirty pages of each number for which he would not most cheerfully see substituted reviews like that of Mr. Jarves's last book or Tennyson's last volume of poetry. Every man knows his own business best; at any rate that is the received opinion; but we take the liberty of saying that the projected change might be greater than it probably will be, and still be in all ways of advantage to the magazine. Whether or not people are wrong in holding that Boston notions *de omnibus rebus*, etc., are no longer the best, the belief is still prevalent that the Bostonian opinion of books and literary men is worth conning. All Americans—Illinoisans, Californians, dwellers in the isles of the sea—have great faith in Boston's critical ability; and perhaps even a larger faith than in her productive powers. So then, should the *Atlantic* discuss with all the ability and vigor at its command the important books of every author and of every publisher in the country, neither sparing any unjustly nor abusing any unjustly, we are persuaded that its publishers would find it and themselves in a position more enviable than even the position which it and they now hold. Certainly no other publishers of magazines could hope to compete with them, and the *Atlantic* would once more have a distinct field and be a periodical which would not be disregarded.

—A complaint which readers may justly bring against publishers in general is that books so often, by neglect or intention, mislead one as to what, for want of a better term, may be called their history. For instance, to begin with the least of this species of offences, our holiday literature is almost always post-dated, so that a book now making with a view to its appearance in October or November will bear the imprint of 1871 instead

of 1870. That is to say, the whole transaction, from manufacture to sale, will be credited to a year which had nothing whatever to do with it. As a rule, this falsification has no appreciable evil consequences, though these might without straining be imagined; and perhaps it is to be referred to the same motive which post-dates the magazines and the illustrated papers. Coming to books which are no longer new to the market, it is to be regretted that the word "edition" is used with so much laxity as it is. The custom of the trade, indeed, is to base the estimates of cost, selling price, and profits on a first issue of one thousand copies; but this is an arbitrary number, and the first edition of a well-announced work by a popular author may be several thousand, according to the orders received before it has gone to press or while it is on the press. As for subsequent editions, there is absolutely no standard, and an unscrupulous publisher may unduly promote the sale of a book by dignifying the issue of a mere hundred or two with the name of edition. This term is naturally hugged for works of feeble and limited circulation, while those which sell freely prefer the reckoning by thousands. Deception also lurks, or is apt to lurk, in the phrase "new and revised edition," sometimes even when the word "thoroughly" is inserted to strengthen it. An annual publication we have in mind solemnly professes each year to have been corrected in this manner, and brought up to the latest information in all its parts. Yet we have known it to be three years in taking notice of one of the most important events in modern history. Not unfrequently one sees this claim of newness and revision prefixed to books which have undergone actually no change whatever, being reprinted from plates with all the original errors and imperfections.

—There is still another practice which is especially irritating to librarians, and that is the revival of old and forgotten books under a new title, without any warning to the public. This frequently occurs when some kindred work is meeting with remarkable success, and it is hoped that the interest thus awakened in the subject will float any book ostensibly connected with it. Thus we lately saw Miss Phelps's "Gates Ajar" followed by a work which imitated her trade-mark in order to draw to itself the attention which had formerly been refused it on its own merits under another title, and in default of which it had miserably and not undeservedly failed. It is seldom—and that is the nuisance of it—that anything but trash resorts to this fraud, or that the unwary public is prompt to detect it. Librarians do their best to exclude these new titles from their shelves, but they cannot escape the annoyance of constant enquiries for them, and of repeated explanations; and the wrath they bring down upon themselves from the publishers whose sales they thus injure, it is easy to conceive of. It would be curious to ascertain how much our American habit of stereotyping almost everything has to do with this vamping of dead literature; and perhaps a still more curious question lies back of that, viz., Why do we stereotype so extensively and well-nigh indiscriminately? It is often said that it is a great mistake to do so, and that our publishers load themselves with tons of useless metal, valuable only as metal—that the Harpers, for example, estimate their immense stock at an average of not more than ten cents per pound. Nevertheless, we may be tolerably certain that the practice would not be continued unless it paid for itself, or answered some condition of the national culture. Our own observation favors the latter view. Our country is so vast, our population so scattered, that more time is required to discover the natural audience of an author than in a densely-settled and compact country like England, while the cost of labor and of materials is greater. The invention of a faultless type-setting machine has not yet equalized our capacity for cheap book-making with that of the Old World, as it may at any day. Meantime, statistics showing the number of works which survive a first edition in this country would shed light on the profitableness of making plates. Recent calculations in England tend to show that nearly one-third of the books published there go through two or more editions, and that "such works consist chiefly of popular histories, travels, the better kind of novels, and standard poetry, as well as ably written scientific, professional, and religious books."

—Why the *Overland Monthly* for April is not the most readable of all the April magazines, we do not know. It is perhaps less thoughtful than almost any of its Eastern contemporaries; but the thought of our Eastern magazine writers is not usually of such importance to thinking readers that it may not willingly be dispensed with, and that in place of it there may not be accepted cheerfully the freshness of topic and treatment which the *Overland* always offers. Then, too, over and above its freshness, the *Overland* always contains a certain quantity of the writing of its editor, a worker in literature who has great talent, and who is noticeably independent

and honest, whether or not he is infallible in criticism and never self-indulgent when he talks about books and authors, and whether or not he is, as we see him in his stories, perfectly wise in his way of looking at life. No one who has gone through the volumes which have been written about the recent indictment of Lord Byron will say that this, for example, however imperfect in expression, is not uncommonly good criticism: "The case being closed, there is a feature of the pleadings which deserves comment, as evincing somewhat painfully the animus of the prosecution. Throughout the book, Mrs. Leigh is spoken of as Lord Byron's sister, and the fact that she was a half-sister, and a stranger to him until within a year or two of the alleged intimacy, is not stated. While this fact would not alter the legal significance of the crime, it might have something to do with its moral bearing. Yet, although it could have been cited by Mrs. Stowe as collateral evidence in favor of the crime—making it less unnatural and improbable—it seems to have been suppressed for that very reason, and we have, instead, Mrs. Stowe's theory that the act was the result of the deliberate intention of Lord Byron to crown the apex of his vices with a crime gratuitously monstrous." That Byron deliberately planned the erection of a fabric of utterly monstrous wickedness, and therefore set about committing the crime now charged upon him, Mrs. Stowe does not anywhere say, so far as we remember; but, no doubt, it is a part of the case as it stands, and it is very well to point it out, that there is in the pleadings suppression of the fact that Mrs. Leigh was not Byron's sister but only his half-sister, and, moreover, we may add, was his half-sister by a mother of such a character that it is within the possibilities that Byron may have been well convinced that she was not even so much as his father's daughter. Other criticisms in this month's *Overland* are, of Lowell's "Cathedral;" of Mr. G. A. Townsend's book of poems; of Mr. J. H. Noyes's "History of Oneida Socialisms;" of Mr. Bryant's "Letters from the East;" of Lord Lytton's translation of the "Odes and Epodes of Horace;" and of a "Comic History of the United States," by Mr. John D. Sherwood. Perhaps there is none of these notices that does not give the reader more of the reviewer than of the book reviewed; but still most of them are worth reading, not only by him who would understand the writer of the notices, but also by most of those who are interested in the authors under examination. For long articles, the magazine has several that are good and one that is remarkable. "The Battle of the Mine" gives a very graphic description of the explosion of the famous mine in front of Petersburg in July, 1864, and of the attack in which the colored troops under General W. F. Bartlett fought so well and had such bad luck. It is singularly vivid and is exciting. Good too is the article about "Russian Gold and Silver Mining," and that called "The Presidio of San Francisco," which relates some curious passages in the history of our Pacific coast. "Historical Fruits and Flowers" talks of the Napoleonic violet, the Plantagenet broom, the Irish shamrock, the French fleur de lis, Gabrielle d'Estrées' peach, and other such things, and is worth looking at as a very good paper of the sort that is written by lovers of literature who are stranded far away in new lands. "Compasses," by Mr. Bret Harte, seems to show that this author is undertaking to do too much work, for it only suggests his excellences while it brings into strong relief most of his faults. There is the strange far West flavor in the incidents, and the mixture of pathos and humor to which Mr. Harte has accustomed us; and there is also some of the accustomed clearness of delineation, both of the inner and outer man of the personages of the story; and there is some little wit. But the humor is forced; the tragedy seems not to inhere in the situation so much as to be wilfully put there by the author; the chief characters seem simply impossible in their speech and thoughts; and, altogether, "Compasses" looks like task-work done reluctantly and feebly, and perhaps not worth doing—at all events, it was not worth doing as it is here done. We like Mr. Harte so well that we feel freer to complain of him.

—Death has been busy, since the year opened, among the leaders of the various religious denominations, some of whom had a name also in literature. Such, and as such entitled to mention here, was the late Dr. Nathaniel L. Frothingham, of Boston, father of the Rev. O. B. Frothingham, of this city, and brother-in-law of the late Edward Everett and of Charles Francis Adams. He was graduated at Harvard College in 1811, and four years afterwards entered the ministry as pastor of the First Church in Boston. In 1850 the state of his health compelled him to abandon the pulpit. He died on the 4th of this month, having nearly completed his seventy-seventh year. Dr. Frothingham was a frequent contributor to the press of his native city, but will be remembered for his poetical pieces—many of which are still sung in the churches—more than for his prose. Of late years he had devoted himself to rendering German

hymnology into English, preserving the original metres, and as nearly as possible matching line for line. The specimens that appeared in the *Monthly Religious Magazine* showed a remarkable command of language, and combine, in an unusual degree, literal fidelity, strength of diction, and poetic feeling. The freedom from stiffness which characterize these versions was a mark of the high scholarship of their author. Dr. Frothingham was universally beloved in his private and pastoral relations.

—Although it is not yet quite an accomplished fact, a great change has virtually just been made in the relations of Harvard College to its pupils. At present the graduating rank of a Harvard man is a compound representative in part of his scholarship and ability and in part of the degree of regularity with which he has attended recitations and morning prayers, and the steadfastness with which he has resisted temptations to smoke in the vicinity of the college buildings, to whisper in the class-rooms, to "group" in the college yard, and, briefly, to indulge in a thousand or more other offences, small and great. In short, a Harvard man's graduating rank has hitherto depended so much on his "good behavior"—naturally good and arbitrarily good—that it may be said to have been not at all valuable as an index of his mental power and the quantity and quality of his acquirement. From this method of assigning rank came several bad effects, and among others this, which has not been much noticed, and which we therefore mention as being worth the consideration of college authorities everywhere in this country: to hold college rank in contempt was the fashion among many of the cleverest of the students—to say nothing of young gentlemen not so clever, but with at least an equally noble innate hatred of that well-known disposition of faculties to tyrannize, and, what was more to the purpose, quite an equal capacity for making trouble. Any dull fellow—these used to believe and maintain—any stupid, goody sort of man, with a talent for jog-trot regularity, could "stand high;" even the first four or five scholars, who of necessity had to be men of ability, would, nevertheless, had they cut recitations like So-and-so and So-and-so, be like them, far down in "the last half;" there was Smith, a laughing-stock for his stupidity and toadyism, who was in "the first twenty" instead of the last, by dint of mere indefatigableness in going to prayers and recitations; there was the other Smith, whose good morals, as manifested by careful attendance at chapel and at recitations, "got his degree" for the most immoral of young men. Such used to be the talk, much of it being more or less foolish, but much of it containing some truth, no doubt. It cannot be denied, we imagine, that, under the "morality and ability" system of conferring college honors, some of the best ability in the college was not honored, and even felt itself encouraged in idleness or perverse industry; that some of the morality which was honored was of a rather questionable kind; and that the college, on its part, when its favorites were looked at, lost more in reputation as a seat of learning than it could hope to gain in reputation as an ethical instructor. It may be doubted if more than a very few persons inside or outside of the college have latterly been attaching much weight to the fact that this or that man was high up in his class when he was graduated; and certainly we should say that the after-history of the young men who have been graduated during the last half-century has not on the whole shamed the world in general out of a certain disregard for the college's imprimatur, or rather for its absolute guarantee. Under the system which is soon to go into operation, it will be as difficult as ever for a troublesome hindering student to stay in the college, injuring his fellow-students and interfering with the general work of study and instruction; perhaps it will be more difficult, at least for the present; but marks of demerit are not in future to be deducted from marks for excellence in the pursuits proper to residence at an institution which primarily and essentially is an institution of learning. It is not intended, if we understand the matter, that under the new system the college will relax in the least its hold on the student, to whom by reason of his age it still believes itself to stand partly *in loco parentis*. It will continue to count up against each man his failures to attend to the business which he is at college to do, and his offences against the general welfare; and it will still, by means of communication with parents, secure parental influence in behalf of its own government. But at the end of the course, in pronouncing on the ability and acquirements of the young men who for four years have been studying what the college exists to teach, it will endeavor to tell the world more accurately than before what mental stuff and mental furniture there is in the brain of each man whom it sends out. Perhaps, to be compendious, we may say that it will still be possible on seeing a Harvard man with a diploma to feel sure that he has not smoked and snowballed to any great excess within the limits of the college-yard, but that smoking

and snowballing in the yard no longer have the place that they had in the college curriculum.

—Whoever undertakes to declare the religious views of the Germans in this country must evidently speak with precision and not in general terms. The majority may possibly be rationalists, but the minority is divided, apparently, into as many sects as is the English-speaking population. The Maryland *Staatszeitung*, in a recent article on German spiritualists in the United States, says that, although they lack congregations of their own, they are, nevertheless, more numerous than is commonly supposed. They are to be found in all the larger cities along with American believers in the same faith, and include some eminent men, like Dr. Blöde, editor of the New York *Demokrat*, whose wife also, lately deceased, and known as a poetess under the signature "Marie Westland," was a spiritualist. Mr. Herman Schlarbaum, of this city, was instrumental in getting the works of Mr. Andrew Jackson Davis translated into German. Their voluminousness naturally daunted the publishers who were asked to take the risk of this enterprise, and it would have fallen through but for the pecuniary support of a Russian court counsellor at St. Petersburg. Another spiritualist, Dr. Schücking, conducts a weekly paper, *Columbia*, at Washington, in which he, from time to time, prints discussions of the subject by German-American authors of repute. The names, also, of Dr. Dignowity, of Texas, Dr. Cyriax, of Cleveland, and, among recent converts, Dr. Tiedemann, of Philadelphia, Dr. von Püchelstein, of Egg Harbor, Dr. Gerau, of Brooklyn, A. Steinbach, of Evansville, and Friedrich Münch, of Missouri, are cited by the *Staatszeitung*, and indicate both the spread of spiritualism among the Germans, and the sort of persons that have accepted it. They consist, says the authority we have been quoting, in large proportion of thoughtful minds, who differ from the rationalists chiefly in the belief in a future existence. They reject miracles and the whole body of dogmatic theology. They possess a good deal of fascination for those who approach them, and are ardently attached to their philosophy as the religion of the future, resting on a scientific basis, demonstrating the indestructibility of the human spirit, and ridding the world of death.

—After the battle of Austerlitz, the most experienced publicist of Germany, Von Gentz, drew up a document to be submitted to the Austrian Government, in which he sought to provide for the safety of Austria after so terrible a catastrophe. At that time, his proposition seemed extraordinary. "From this moment," he declared, "the Austrian monarchy should cease to be considered a German power. The provinces remaining to the Emperor no longer have anything in common with Germany, and are now isolated. If the Emperor desires to continue his existence as a political power, there is but one course to take. Let him transfer his residence to Hungary, give it a constitution, create new connections with Bohemia, Galicia, and the remaining provinces—in a word, form a new monarchy." The programme thus presented by Gentz, in 1806, is precisely that which has since been forced upon the house of Hapsburg by the events of 1866. M. René Taillandier, in his "*Tcheques et Magyars—Bohême et Hongrie—XVe Siècle—XIXe Siècle*," presents the same theory originated by Gentz. The author is a professor at the "Faculté des Lettres" of Paris, and has for many years occupied himself with the literature and history of Bohemia and Hungary, as readers of the *Revue des Deux Mondes* may remember. In the work named, he disperses much of the mist that has obscured the history of Bohemia for four centuries past, and gives a clear idea of the rising literature of both Hungary and Bohemia. The bloody events of the period of Ziska, the rise of George Podiebrad to the throne of Bohemia, the struggle between him and Mathias Corvinus, King of Hungary, are recounted with the advantage of the latest historical discoveries. The resurrection of Bohemian national history through the erudition of Palacky, and the rise of a national literature in Hungary, illustrated by such names as Kölcsény, Vörösmarty, Garay, Petöfi, Arany, and others, are presented with great fulness of research and citation.

—There is scarcely a political or social faction of the French Revolution but is to-day represented in France by lineal descendants and well provided with writers and authors. Almost every phase of that period has been made the subject of thorough research. When the material at Paris began to show signs of exhaustion, recourse was had to the provinces and provincial cities, and always with valuable results. Local historical societies in every department have also worked the vein, and patient, painstaking scholars have brought to light forgotten and hidden documents whose publication has been found more fatal to the reputation of the patriots of '93 than the most eloquent royalist attacks. But these patriots are still by no means without friends and defenders. We have

always thought that the proper title of Lamartine's work on the Girondins should have been, "The Apotheosis of Robespierre." Lamartine is not without imitators to this day. The latest is M. Jules Claretie, who devotes a volume of 403 pages to "Les Derniers Montagnards." This remnant of the Mountain was composed entirely of the accomplices or tools of Robespierre; all of them were stained with the blood of Louis XVI. and Marie Antoinette, and two of them, Bouchotte and Albitte, were the apologists of the massacres of September. M. Claretie mainly defends these men by attacking their victors and successors, the Thermidorians. They will none the less remain what they always were, detestable and detested, though few tragic situations of the period which closed with their downfall will compare with theirs in picturesqueness or pathos.

—A fortnight since, Mr. John Bigelow read a paper on "Beaumarchais, the Merchant," before the New York Historical Society, and on Tuesday last was followed by Mr. Parton on "Beaumarchais, the Dramatist of the French Revolution." The former essay will appear in *Hours at Home* for June; the latter, we presume, will be given to the public in due time. Mr. Bigelow made known some hitherto inedited documents relating to Beaumarchais' negotiation with the American Confederation for the supply of arms, and showing what poor encouragement he received from the Congress, owing to the representations of its agents in London. The society was moved by these revelations to consider what measures it should take to secure for Beaumarchais the reputation and remembrance due to him in this country as one of its benefactors in the time of greatest need. We do not know whether it has concluded upon a series of papers upon Beaumarchais, delivered like the preceding, and finally collected and published, but that would very well answer the Society's purpose. The many-sided Frenchman would fill, if properly studied, an indefinite number of canvases; and to do justice to him in every rôle is perhaps not to be expected of American students. We are still far from possessing all the material for a thorough knowledge of his checkered career, and some doubt has lately been cast even upon the truthfulness of his *Memoirs*, in what relates to his experiences in Germany as secret envoy of the King of France. M. de Loménie, who has come nearest to an exhaustive study of Beaumarchais, wrote seven years ago, and much has come to light since then. Perhaps some of our woman's rights advocates, making use of Loménie's interesting disclosures, would furnish the Historical Society a paper on Julie Caron, the dramatist's sister, and her services as critic in the war of pamphlets with Goëzman.

—Beaumarchais was not only great in himself, but the cause of great works in others; we owe to him the "Clavigo" of Goethe, and, in another field of art, the two greatest comic operas ever written—the "Figaro" of Mozart and Rossini respectively—and the only ones which seem destined to be immortal. Mozart's life has been often written, and we are now promised one of Rossini, by Alessandro Biaggi, a highly esteemed musical critic at Florence. The proposed work will make 500 pages, and will contain, besides the Life, a dissertation on melodrama and on the history of the progress and relapse of music during the present century. It will be published by Barbèra.

LOWELL'S ESSAYS.*

CONTAINING the deliberate words of perhaps the best of living English critics—his final judgments on many of the great names of literature; judgments which are the result of long and wide study and reading, of marvellous acuteness of sight and delicacy of sympathy; containing a poet's opinion of other poets, a wit's opinion of other wits; in short, the careful opinions of a man of cultivated genius concerning other men of genius who are near and dear to all of us, but to all of us partly unintelligible without an interpreter—this book of Mr. Lowell's is one of the best gifts that for many years has come to the world of English literature; and to say this, still is to say one of the best gifts that has for many years come to the world of literature. Nor need we say to the world of literature merely, unless within that term we include instruction wise in human nature and profitable for the conduct of life; for concerning these things, also, much is said or let fall which is every way good. This, however, need not be said, when it is recollected that our author's themes are only the great in literature or in life; that he deals with Shakespeare, with Lessing and Goethe and Rousseau and Milton, with Æschylus and Sophocles, with Winthrop and the founders of the New England form of civilization and government—men and things of the sort which do not belong to literature pure and simple, as commonly understood, but take a

hold stronger or less strong upon the life of men—of man as a creature of this and the other world. All the more it need not be said when it is recollected that the author of the essays is Mr. Lowell, a poet and critic never likely to forget more than momentarily that literature is not song-making and story-telling, but is an attempt at expressing truths of the universe, and an expression of the character of the man behind the pen—is not books made about this or that, but is "the thought of thinking souls;" is "a criticism on life."

There will not be two opinions among readers of the volume before us whether the finest piece of criticism in it is not the essay entitled "Shakespeare Once More;" and we doubt if the sincerest hater of the superlative would not be willing to admit that, on the whole, in virtue of its combined penetration and comprehensiveness, this is the best single essay that has yet been written on the poet and his works. For our own part, we felt an inclination to go further, and to acknowledge to ourself a preference of this to any equal quantity of Shakespearean criticism that is to be found anywhere else—an inclination which is perhaps better as an expression of pleasure newly felt than as a measure of either the absolute or the relative value, as criticism, of the writing newly read. It is an observed fact in literary history that the best poets who have studied Shakespeare and talked of him show themselves in an attitude of reverence—almost of unhesitating acceptance of everything that he says and does and is; and Mr. Lowell is anything but an exception to the rule. He will hardly be severe on Shakespearean commentators; apparently he is of opinion that there has been no man, born before or since 1616, who did not, by the mere act of birth, put himself into the ranks of commentators on Shakespeare—all life in all time seeming to him reflected in that all-comprehending brain, "whose creations are so real that, mixing with them, we feel as if we ourselves were but magic-lantern shadows;" so that, whether we will or no, if once we are human and accept the lot of humanity, if we live and love and suffer and enjoy and die, we are of necessity a sort of Malones and Stevenses and Theobalds.

We hardly have space to quote from this essay, which indeed is, from its nature, to be read as a whole and not by parts; for it has for its main business to seek Shakespeare in his various plays, and does not look to find all of him in each; and, of course, its comments on particular plays are not only in no case equal to its merit as a study of Shakespeare's nature, but are, for various obvious reasons, not fitted for quotation restricted by limitations of space. This, however, treating of a single point, is quotable, and will serve to give a taste of the flavor of the whole:

"Another striking quality in Hamlet's nature is his perpetual inclination to irony. I think this has been generally passed over too lightly, as if it were something external and accidental, rather assumed as a mask than part of the real nature of the man. It seems to me to go deeper, to be something innate, and not merely factitious. It is nothing like the grave irony of Socrates, which was the weapon of a man thoroughly in earnest—the boomerang of argument, which one throws in the opposite direction of what he means to hit, and which seems to be flying away from the adversary, who will presently find himself knocked down by it. It is not like the irony of Timon, which is but the wilful refraction of a clear mind twisting awry whatever enters it; or of Iago, which is the slime that a nature essentially evil loves to trail over all beauty and goodness to taint them with distrust; it is the half-jest, half-earnest of an inactive temperament that has not quite made up its mind whether life is a reality or no, whether men were not made in jest, and which amuses itself equally with finding a deep meaning in trivial things and a trifling one in the profoundest mysteries of being, because the want of earnestness in its own essence infects everything else with its own indifference. If there be now and then an unmannerly rudeness and bitterness in it, as in the scenes with Polonius and Osrick, we must remember that Hamlet was just in the condition which spurs men to sallies of this kind—dissatisfied, at one neither with the world nor with himself, and accordingly casting about for something out of himself to vent his spleen upon. But even in these passages there is no hint of earnestness, of any purpose beyond the moment; they are mere cat's-paws of vexation, and not the deep-raking ground-swell of passion, as we see it in the sarcasm of Lear."

A little further on, in the same essay, Mr. Lowell says: "Whether I have fancied anything not Hamlet which the author never dreamed of putting there, I do not greatly concern myself to enquire;" and he goes on to give an ingenious reason for his want of concern. But it seems a reason ingenious rather than conclusive in favor of a practice to which it is not unfair to say that Mr. Lowell certainly is addicted. Beyond a doubt, "poets are always entitled to a royalty on whatever we find in their works"—we owe for suggestion as well as for what is given us out-and-out; but shall we, for that reason, make our benefactor responsible, not only for what material we get from him, but for what we build with it? It is enough that he lets us into his treasure-house, and makes us free to feast our eyes, and even to help ourselves; but the right of melting down

* "Among my Books. By James Russell Lowell." Boston: Fields, Osgood & Co. 1870.

his gold of Ophir for jewels of our own make hardly gives us a right to set the Solomonian signet on these specimens of our skill. More than one or two or ten instances we might cite where Mr. Lowell seems to put into his authors more than they meant should be found in them, or puts into their mouths something somewhat different from what they said.

Of kin to this fault of overingeniousness is another, which still more interferes with the reader's enjoyment, and that is the disturbing sparkles of wit in which our author indulges himself, and with which, too, he gives his readers pleasure—a momentary pleasure, for which by-and-by they make him pay. Perhaps it is that such incessant wit, read by us ladies and gentlemen who all our lives have been talking prose, not without knowing it, we are apt to resent. Or perhaps it may be that we care more for what our author thinks and feels than for his play with his thoughts and feelings. However this may be, no doubt Mr. Lowell's point does, as a matter of fact, count to his disadvantage with many of his readers, whether these are of the envious and malicious type, or among the willing admirers of genius. Not many good readers would not say that this following passage—especially for the last, newer part of it—is not, as a part of a critical essay, worth any dozen of the brilliant jests that every now and then distract the attention of Mr. Lowell's readers:

"A criticism, shallow in human nature, however deep in Campbell's Rhetoric, has blamed him for making persons, under great excitement of sorrow, or whatever other emotion, parenthesize some trifling play upon words in the very height of their passion. Those who make such criticisms have either never felt a passion or seen one in action, or else they forget the exaltation of sensibility during such crises, so that the attention, whether of the senses or the mind, is arrested for the moment by what would be overlooked in ordinary moods. The more forceful the current, the more sharp the ripple from any alien substance interposed. A passion that looks forward, like revenge or lust or greed, goes right to its end, and is straightforward in its expression; but a tragic passion, which is in its nature unavailing, like disappointment, regret of the inevitable, or remorse, is reflective, and liable to be continually diverted by the suggestions of fancy. The one is a concentration of the will, which intensifies the character and the phrase that expresses it; in the other, the will is helpless, and, as in insanity, while the flow of the mind sets imperatively in one direction, it is liable to almost ludicrous interruptions and diversions upon the most trivial kind of involuntary association."

The opening paper of "Among my Books" is upon Dryden, and seems to us exhaustive. It is a model essay of the sort of which the men of Dryden's time have now for some time been the subjects—essays which do more to keep alive certain of our English poets than they themselves are still able to do. But this essay comes a great deal nearer to making it possible to dispense with the reading of its subject's own works than any similar essay with which we are acquainted. Usually the person criticised is so far from being under obligations to the critic who professes to paint him in his habit as he lived, that he is rather in the position of a corpse dragged out of his grave, to be pounded into pigments which shall set forth the redoubtability of the gentleman who "resurrects" him. But we imagine that it is not saying too much to say that, fifty years from now, ten persons who know anything more and better of Dryden than will be learned out of books of "Familiar Quotations" and the "Reading Books" which contain "Alexander's Feast," will be indebted to Mr. Lowell's essay, where one is indebted for such acquaintance to any other source.

"New England Two Centuries Ago," "Rousseau and the Sentimentalists," "Léssing," we have left ourselves no space to speak of. Each is, in its own way, so good that it would be easy to speak of it at great length; but this, we hope, is in no way necessary to call the attention of all our readers to the best body of criticism, best expressed, that American literature has to show.

A PRINCE'S TOUR IN EGYPT.*

MR. RUSSELL'S "Diary" is an extremely intelligent and entertaining account of his excursion in the East, at first in the party of the Duke of Sutherland, which accompanied that of the Prince and Princess of Wales as far as the first cataract of the Nile; afterwards as himself a member of the Royal party during their visit to Constantinople and Sebastopol. While the movements of these distinguished personages are avowedly the leading subject of interest, and are, however trivial, dwelt upon with reverential care, the lesser details of archaeology, Egyptian politics, and the amusing incidents of Oriental travel come in for a fair share of atten-

tion, and are handled in a spirited fashion, which all readers will enjoy, but especially those who can for themselves recall, to justify the accuracy of the descriptions, the pleasure of floating along the Nile in a dahabeah, of threading the thronged bazaars of Cairo, or studying, bewildered, in the hieroglyphics crowded upon temple walls, the carved records of centuries past.

Without pretending to any deep lore in regard to the Egyptian antiquities, Mr. Russell speaks of them with sufficient respect to avoid the displeasure of the archaeologists, while he is equally careful not to bore the ignorant by too many dates and figures. References to Amenulph and the goddess Phtah are rare, and statistics are carefully accredited to Sir Gardner Wilkinson and the inevitable Murray. Dendera, first in order of the temples on the Nile, rouses Mr. Russell from the tranquil current of narrative, well enough suited to the quiet river life, and his enthusiasm here is satisfactory in spite of his unamiable reference to Cleopatra in the comparison which naturally suggested itself:

"It was the prettiest picture possible to see the Princess wandering about the ruins, to watch her tracing out the features, with the aid of a cane, of ebony Cleopatra on the wall. What a contrast between our fair mistress and the serpent of Old Nile!"

At Karnak, again, he is appreciative and almost eloquent, and devotes a good deal of space to a description of the grand ruin and his impression of it, pleasantly interwoven with the story of how they all saw it, and what they did there. To the wonderful excursion on the other side of the river to the "Tombs of the Kings," and the desolation of that scene, he does less justice. In fact, he seems to have little perception of picturesque effects and the charm of natural scenery, although he occasionally makes mechanical mention of a fine sunrise or of soft moonlight. The long, low stretches of the Nile shore, here bright green, there fading into yellow desert sand, the level line broken only by the palm-trees against the sky, and slow camels standing out unnaturally large in the brilliant sunlight, are unmentioned, probably unnoticed. But then there was always the Princess in the other boat to look at, through lorgnettes and telescopes—an absorbing study, which divides most unequally with the pyramids and palms upon the shore the attention of Mr. Russell and his friends.

As the steamers cleft their way against the turbid stream there rose in sight the Pyramids of Aboosheer Sakkara and Dashoor; but they could be seen at any time, whilst it was not so certain when we could get a glimpse of the Prince on the Nile in the abandon of "shooting-jacket, knickerbockers, and felt hat." Great lowness of mind falls upon the party in the steamer whenever the accidents of wind and current separate it from the Prince's boat; all pleasures pall till it is again in sight. Mr. Russell is surprised that the natives do not share in this absorbing interest:

"As we saw afterwards, there was a large gathering of natives not two hundred yards away—market-day at Luxor. But indolence, ignorance, or indifference, what you will, its influence was so great, not one ever stirred to enquire into the cause of the firings and general tomasha."

The fellah of Egypt is an apathetic creature, no doubt, but it is possible to suppose that in the continuous stream of dahabeahs and steamers, bringing an inundation of travellers every year as regular as that of the Nile, the passage of the Prince's party, similar in costume and conduct to so many others, may not have presented itself to him as an exceptional event.

At Assouan Mr. Russell takes leave of the royal cortège for a time, and while they, in smaller boats and more contracted quarters, press on to the second cataract, he gives us a pleasant account of a brief trip to Jerusalem and back. Unshadowed by the princely presence, it would seem that his pen flows more freely; Jaffa and the orange groves appear distinctly, the flowery road to Ramleh and the weary ascent to the Holy City. But he has to hurry back to meet the Prince and suite; and here he fills out the narrative of their excursion, which between the cataracts might be briefly given in the word "crocodile—crocodile." True, there were carvings at Abou-Simbel, three colossi (the fourth is destroyed)—Rameses—but—crocodile, crocodile! They got one, that was well; the Prince shot it himself, and "the Princess came off to the sand-bank to examine the creature."

Everybody in the party seems to have been favorably impressed with Egypt, for which, indeed, the cordial attentions of the Khedive were a warrant. His reception of the princely party was itself most princely, exhibiting to its utmost the hospitality which is proverbially Oriental. In Cairo, palaces and pashas were placed at their disposition, balls prepared for their amusement; and upon the river every luxury and convenience for sight-seeing was theirs. At every town where they stopped, for curiosity or for coal, a crowd of governors and moudirs, donkeys and dromeda-

* "A Diary in the East, during the Tour of the Prince and Princess of Wales. By William Howard Russell." New York: Geo. Routledge & Sons. 1870.
"Journal of a Visit to Egypt, Constantinople, the Crimea, Greece, etc., in the Suite of the Prince and Princess of Wales. By the Hon. Mrs. William Grey." New York: Harper & Brothers. 1870.

ries, were awaiting them. That is such a pleasant way to travel! This impression is given alike by Mr. Russell's book and by the journal of Mrs. Grey, who goes over the same ground in a book of much smaller dimensions and pretensions. She disarms criticism in the outset by the modesty of her "Dedication," in which she expresses her own surprise, evidently sincere, at finding herself in print. Her journal is thoroughly English, thoroughly feminine, thoroughly simple in style. She lays no claim to any knowledge of the monuments of Egypt, and writes in a delightful state of ignorance as to "what it is all about." One can but wonder at her total want of curiosity or wish to enquire further into a subject presented to her at every step; one can but feel that it must have grown to be intensely wearisome to visit temple after temple day by day without the slightest interest in their history, or information about their probable origin. The excellent lady, however, makes no such complaint; occasionally there is a sigh over the discomfort of her "native saddle," or over the clouds of dust (which it would be more poetic to call the "sands of the desert," though they are for all that none the less trying); but no perception of ignorance weighs upon her spirits, and whenever she and the Princess get a day to themselves on the dahabeh, they cheerfully settle down to drawing and needlework, without troubling themselves to consult the instructive Murray, which cannot fail to be close at hand, about what they have just seen, or the great Sir Gardner Wilkinson, of whose facts Mr. Russell is sure to avail himself.

In a foot-note Mrs. Grey says:

"I must say, once for all, that I do not profess to be accurate either in names or dates. I am not writing a history or description of the country. I simply put down what I was told, and as I understood it at the time."

So the proud temple of Dendera, built long ago in honor of a princess almost as celebrated as this one, is thus briefly described:

"This temple is very fine, and about 1,800 years old, much less ancient, therefore, than other temples in this country. Notwithstanding its grandeur, I cannot say it made the impression upon me which I expected, though, perhaps, I ought not to acknowledge this. The roof is formed of enormous slabs of stones, on which you see the patterns of stars, etc., engraved, the walls being also covered with hieroglyphics. Got back to the steamer at two o'clock very hot, but having enjoyed the morning very much."

It would be unfair not to say that our writer is more enthusiastic at Thebes, where, like Mr. Russell, she is genuinely impressed. Like him too, however, she is a good deal bored at the "Tombs of the Kings," where in the deep caves, more than the life-size figures of gods and men still preserved in all their original brilliancy of coloring and finely severe outline, she seems to have noticed the "swarms of bats" which fluttered round their heads. "The Prince," she says, "caught one of them."

The statue of Memnon and its companion, wonderful old creatures, who, with colossal hands upon colossal knees, have been solemnly looking out over the plain for centuries, unmindful, shall we say? of the yearly recurring inundation at their feet, are thus disposed of in half a dozen lines:

"From this we rode down to the plain to see the two colossal statues, which, seated here in the middle of the green field, have a most striking appearance. They are immense, fifty-three feet high; said to have been raised by Amenophis, 1600 B.C. They form certainly one of the most curious sights we have seen here."

And this is her comment upon another old and tried friend of Egyptian tourists:

"The Princess got on a donkey and rode round the Pyramid. I soon mounted one also, and we went to look at the Sphinx; a curious, but, certainly to my mind, not a pretty sight."

It will be seen from this that Mrs. Grey's book is not to be read as a guide to the Nile, but as a nice, pleasant account of what happened to her and the Princess, and, moreover, as giving an impression of herself as a cheery, enterprising woman, who accepts the goods the gods provide, does not grumble (much) at her native saddle, mounts a dromedary, for the novelty, and enjoys riding him, plods through heavy sands, and endures oppressive heat cheerfully. By the way, she is wonderful on thermometers. A Reaumur, a Centigrade, and a Fahrenheit must all three have been her constant companions; for she can give you the temperature by each of them at any moment.

After leaving Egypt, the party, now again joined by Mr. Russell, went to Constantinople; where the Sultan received them with a hospitality only less munificent than that of the Viceroy. Whether from familiarity with Eastern scenes, acquired by their stay in Egypt, or some other reason, the tone of both books shows some indifference to the scenes they saw there, compared with their first impressions. The bazaars of

Constantinople appear to amuse them less than those of Cairo, the colors are less brilliant, the native crowds less entertaining.

Then follows an account of the visit made by the party to the Crimea; where the Prince and his suite carefully went over the ground of battle, and received Russian hospitalities cordially in spite of old animosities, not at such a time to be revived even upon the very scene of contest.

Both books close with the royal visit to Greece, and a description of the hospitalities incident to it, and the return home, made by the way of Brindisi and the pass of Mont Cenis.

FATHER HYACINTHE'S LECTURES.*

THE book before us is an edition of two series of conferences, the one relating to the family and the other to the church. The orator believes that the properly organized family is a cure for all the evils of political and religious society: a political cure, because it is a true domestic "commonwealth," from whose training in order, obedience, and self-respect the trusty citizen must at last emerge; a spiritual restoration, since in the Christian household the father is in a manner the secular arm of the church, "moulding by precept, and, when necessary, by punishment, the young barbarian, the little savage, bequeathed to him by original sin, into a civilized being and a Christian." In his treatment of the conjugal relation, Father Hyacinthe reasons after the manner of Paul, yet with all tenderness and devotion to woman. Love, he says, is a religious sentiment; it is a virtue far more than a passion; and hence the wife is to be considered an end in herself, not simply a means consecrated to parentage. She rules with delegated power, as prime minister of her husband the king, from whom she receives not merely her temporal law but also her spiritual guidance. "To hear him (St. Paul), one might suppose that the husband is a necessary mediator between woman and Christ, as Christ is himself the mediator between the church and God." But the preacher does not assign this inferior station to the wife without stating his reason. The highest kind of station is, doubtless, that heaven-born authority to which Kent referred, when he said to King Lear: "You have that in your countenance which I would fain call master." Father Hyacinthe, however, does not base the supremacy of the husband over the wife upon this sort of rank, since, whether individually her superior or not, he is still her ruler and domestic priest. Again, there is the station which we purchase, as when we bargain with a servant, expressly, indeed, for his labor, yet, by tacit consent, for the forms of his respect. But neither is it upon this ground that the husband claims his authority, since the wife is not his servant but co-laborer, giving him the opportunity to make money by relieving him from domestic cares, and thus assisting to *earn* their common livelihood. What then is the domestic sovereign's muniment of title? The preacher answers that, though "woman is indeed the complete equal of man in her soul, and all that pertains to her personal rights and dignity, she is not his *equal in sex*." The law of God and nature alike declare that man is the head of the woman, "and woman should think in that head and be inspired by that manly and kingly wisdom."

In the succeeding lectures on the family, Father Hyacinthe discusses the corruption of the conjugal relation, the dignity of Christian fatherhood, family education, which can alone resist modern neology, and the value of a home owned, transmitted, and occupied by many children.

The second series of conferences is chiefly remarkable for its development of the preacher's idea of the soul of the church, which is defined as "the invisible fellowship of all the righteous who have faith, at least an 'implicit faith,'† in the One God and in the Redeemer." Thus the majestic immemorial church whose conception was in the first councils of God extends beyond the bounds of the Roman communion, and even the wide ranks of heresy and schism—for outside the pale of Christianity itself she may number her sons and her daughters. Whether this imposing doctrine be true or false, we believe that in holding it Father Hyacinthe has fallen into Dr. Pusey's error of maintaining opinions whose logical inference contradicts his ecclesiastical position. It was not eighty-eight hundred presumable Christians that Torquemada sentenced to the flames, but heretics, ripe for perdition. The orator's idea is then a modern development, but the very foundations of the Catholic Church crumble under a developing superstructure. At present, Romanism offers us the whole body of truth, and the hope of securing it has closed many an earnest eye upon the historic and philosophical difficulties of the Catholic faith. But

* "The Family and the Church. Advent Conferences of Notre Dame, Paris. By the Rev. Father Hyacinthe." New York: G. P. Putnam & Son. 1870.

† According to the theologians of Salamanca, implicit faith is the disposition which would lead to belief if the mind were sufficiently enlightened.

if it be true that even within this communion we may live and die in error with respect to important doctrines, we should not lose much by being Protestants at once, while as such we should find it much easier to repent of our history than as Catholics to defend it. It cannot even be claimed that only those dogmas which have been infallibly enunciated are required by the times, since the advanced minds of any age always demand what is afterwards needed by the masses.

Our space forbids the further specification of these discourses, in all of which the speaker has displayed an austere analysis of his subject, clothed, however, by the tender glow of his imaginative language. His imagination is indeed something worthy of the name. A powerful and vivid gift—independent of the mere flowers of fancy and the charm of mellifluous words—it rises to the keen perception of new and striking relations, and presents them glowing with the fire of passion, for they are the thought of his heart. Thus in his beautiful apostrophe to the hearthstone, he says:

"O sacred hearthstone, for a moment, perhaps, I had despised thee, I had counted thee a common thing; but no, the water of holy baptism, the benediction of holy wedlock, have rested upon thee; and each day a common faith, a common prayer, a household Christianity renew thy consecration! O hearthstone of my home, rise from the earth, stand thou as an altar stone before the Lord, and thou shalt be called Bethel, the House of God. On thee rest family and country; on thee the very church of God shall rest more firmly than on the foundations of her temples."

Lectures Introductory to the Study of the Law. (Philadelphia: T. & J. W. Johnson & Co. 1870.)—This little volume of 262 pages, together with the earlier "Essay on Professional Ethics," is a selection of the introductory lectures delivered by Judge Sharswood as professor in the law school of the University of Pennsylvania, a post held by that distinguished jurist from 1850 to 1868, when, having been elected to the Supreme Court of Pennsylvania, he deemed it advisable to resign. It is deserving of a much larger audience than the six hundred students who attended his courses, and, while it may be interesting to them to have exactly what he wrote and said ten or twenty years ago, it is to be regretted that the author could not take time from his judicial duties to bring his text down to the date of publication. At p. 16 we have a reference to Lord Brougham as still living, and at p. 146 another to Savigny as the latest authority on the civil law. These, however, are small blemishes, and of little importance as against the great good to be done by the careful and well-considered judgment of so sound a lawyer, so experienced a judge, so industrious a student, so diligent a commentator as the author. His work has been done mainly in and for his native State, but his reputation and his usefulness have extended far beyond such narrow limits, and it is likely that this volume will renew the desire often hitherto expressed that he would take a broader field for his next work than the elementary doctrines suitable for law students or the local juridical history of a single State. The lectures on the profession of the law or legal education, and on commercial integrity, are likely to be useful for laymen as well as lawyers, and while lawyers even outside of Pennsylvania may read with profit those on the feudal law and on codification, those on natural, civil, and common law will interest that large class of readers and students who seek, and almost in vain, in our growing law literature, some reliable enunciation of general principles, distinct from the jargon of case law and the perplexities of local legislation. The chapter on codification will instruct those who seek some means of repeating here the forms of Continental codes, in the views that are taken by a man of consummate ability and large experience in favor of the existing condition of the law in Pennsylvania, and of "the Common Law of England, which is the basis of the jurisprudence of this country and does possess a degree of certainty to which no general written code can lay claim" (p. 244). Judge Sharswood's views of the functions of the legal profession, of the relations of the bench and the bar, of the use of law schools, are those of a man belonging to a school of learning and morality that can never be too highly venerated or too diligently emulated, and it is more than ever wanted now and here. The fact that Judge Sharswood was elected by popular vote to the Supreme Court of Pennsylvania is no small evidence that the people at large, as well as the lawyers, fully appreciated his faith in and practice of his own sound principles, and the importance of putting him on the highest tribunal. The value of an elective judiciary is immensely enhanced when we find a good judge chosen against the popular political party, because his learning, his honesty, and his ability are recognized as qualities that are superior to all party ties. Under the old system of executive appointments, the long

continuance of Republican rule in those States where the judiciary is elective would have kept the bench entirely in the hands of one party, and, while this may be a small objection in the New England States, where the minority is small almost to absurdity, it would go a great way in States like Pennsylvania, where the majority either way is small and varying, towards depreciating the vigor and independence of the bench, if it were not occasionally recruited from the strength of the party in opposition. That the engrossing duties of his high position have cost the university a professor may be the less a matter of regret since he has at least saved leisure enough to become an author.

The Origin and Development of Religious Belief.—Part I. Heathenism and Mosalism. By Sabine Baring-Gould, M.A. (New York: D. Appleton & Co. 1870.)—Every one knows of Mr. Baring-Gould as the author of two very interesting and well-written books on mediæval mythology, and of an admirable essay on the ancient belief in were-wolves. Although these books do not contain the marks of original philosophical and critical ability of any very high order, they nevertheless show painstaking research, they possess considerable literary merit, and they serve to make the general public acquainted with a subject at once interesting and important, which until recently has been treated only in the abstruse works of scholars like Grimm, Kuhn, and Bréal. In writing these books, Mr. Baring-Gould performed a real service to the public; and undoubtedly he might give us several more like them without exhausting his own fund of curious erudition or presuming too much upon the patience of his readers.

But in the work before us, Mr. Baring-Gould has chosen to try his hand at a different kind of subject, and one which it requires far higher ability to deal with satisfactorily. We suspect that, if questioned by a duly inquisitive "interviewer," Mr. Baring-Gould would confess that he regards the "Origin and Development of Religious Belief" as his *magnum opus*, as the work toward the accomplishment of which his other studies have been preliminary, as the block of which the "Curious Myths" and the "Were-wolves" have been but the chips shaved off during the process of planing and polishing. To us it seems, however, that this block itself is but a mass of chips, imperfectly glued together, with the marks of its heterogeneous origin and agglutinative growth only too plainly visible. The author has manifestly undertaken a work very far above his powers. Had he been willing to confine himself to a descriptive account of the outward manifestations of religious belief in myths, creeds, and ceremonies, he would very likely have produced a work of rare interest and value. But he has chosen a more ambitious and onerous task. He has attempted to trace, with the hand of a biologist, the origin of the religious instinct in the necessities of the human organism; and, without presupposing the truth of revelation, to demonstrate *à priori* that Christianity (as understood by the ritualist section of the Anglican Church) is alone competent to satisfy that instinct. But his book reveals none of the scientific and philosophic capacity requisite for the execution of such a task. The introduction of biological considerations is simply a great mistake. The book opens with a rather long and tolerably well-arranged description of the nervous system, which is superfluous, since a better one might be found in any first-class text-book of physiology—serving only to show that Mr. Baring-Gould knows what the most obvious and unmistakable facts of nervous structure are. When we look for the application, the inference, the corollary, to which all this anatomical lore is subsidiary, we find there is nothing of the kind. The author goes on to describe curious myths and observances and to gossip about sundry ethical questions, but the precise nature of the theoretical connection between myths, ethics, and medullary tissue nowhere appears. In default of any reasoning which might betray a philosophical master-thought or ground-idea—as the Germans say—governing the work, we get such bits of declamation as the following: "But as civilization advanced, men's ideas underwent modification. The religious idea, wrapped in the shell of naturalism, lay like a gland on the earth. The sun of prosperity shone on it; the dew of intelligence moistened it; the germ of life burst the hard casing which had imprisoned it, and became a vital religion, flowering in polytheism, fruiting into monotheism." There is, indeed, an age which most men and women pass through, at which such writing and thinking as this is legitimate if not laudable; but that age must be outlived before scientific explanations of the great facts of religion can be successfully undertaken.

Nevertheless, whatever its coherence or incoherence, Mr. Baring-Gould's book is remarkable for one thing. It is at bottom a defence of the popular theology of Christendom; yet it avoids ecclesiastical phrase-

ology and takes on the airs and manners of a scientific treatise. The spiritualists of the old times appealed to the horned Satan and his crew of ærobatie witches, but now they appeal to the "æd force" and "undiscovered natural laws." So Mr. Baring-Gould, the lineal successor of Leslie and Watson, substitutes the technical terms of physics and anatomy for those of evangelical theology. It should be chronicled, for the benefit of the future philosophic historian, that in 1870 a work on "The Evidences of Christianity" was published which opened its argument thus: "Force is that which produces or resists motion."

Maver's Collection of Genuine Scottish Melodies. Harmonized by C. H. Morine. Edited by George Alexander, Esq. (New York: John Wiley & Son.)—In this country there is a very large number of people, mostly fathers and mothers of grown-up children, with a fondness for music, but with little or no education in it. Classical music is Greek to them; operatic music, mere "vocal gymnastics;" and most of the so-called "brilliant" private piano-playing, ear-splitting performances. What they want is pure melody, with as little intrusion even of accompaniment as possible. But, simple as this taste is, it is often excellent as far as it goes, and is, in fact, the intuitive taste that decides which one out of every thousand songs published shall live to be loved. This class of persons will undoubtedly give a warm welcome to this collection of nearly five hundred Scottish melodies which is now before the public in so handsome a dress. Just such a one, with accompaniments for the piano (our common instrument), has been long desired. Many otherwise good collections of songs, English, Scotch, or other, are rendered quite useless to these very persons of whom we have been speaking from the fact of their containing only the bald tunes, difficult for fair amateurs even to accent with the expression on which their beauty depends, and impossible for the slightly experienced to harmonize. The airs are arranged, in the present collection, either for singing or playing, and with great simplicity. Although intended for "either piano or harmonium," the accompaniments strike us as having been wrought out by a lover of the latter instrument, and are less spirited and more monotonous in consequence—a wild Highland air harnessed to an ambling psalm tune. The poetical and historical portions of the work bear evidence of having been edited with conscientious thoroughness. The introduction is an essay on Scottish music. There is a glossary and several full indexes. The volume has the further recommendation of being of good proportions for the music-rack, and of exceptionally fine typography, large and clear.

Jerome Hopkins's Second Collection of Church Music, specially adapted to Sunday-school and Boy Choirs. (New York: Pott & Amery.)—One opens this book at the compiler's characteristic preface, in which the truth is expressed with rather more force than good taste, especially if we are to consider it a preparation for the sacred hymns that follow. Still, it is the truth, and it is piquant. Says Mr. Hopkins: "I have enjoyed the ministrations of some [clergymen] who were, in truth, excellent amateur musicians; of others whose estimation of church music was only in so far as it served to rest their own voices; of others, again, who persisted in regarding the organist and choir as irritating competitors with the clergyman in the race for popular admiration, and who systematically snubbed and mortified them by bobtailing their performance in consequence."

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Then, again, I have served under the same consecrated roof with clergymen who were so apathetic and indifferent that they would give out the same hymn three Lord's days in succession and never know it; others, again, who could not tell the difference between a psalm-tune and an isosceles triangle if they were to die for it." "The compositions in this book, with but few exceptions, have been tried like as silver is tried," he declares further; which being quite true, it only remains to say that Mr. Hopkins has selected with judgment from the old collections, and arranged the hymns in a fresh and pleasant manner.

The Professor's Wife; or, It Might Have Been. By Annie L. Macgregor. Author of "John Ward's Governess." (Philadelphia: J. B. Lippincott & Co. 1870.)—Even the mildest reviewer must make a stand somewhere, and the very least we can ask of a writer is that he or she shall be capable of expressing what is to be said in tolerably correct language. This work of Miss Macgregor's is not only futile and pointless, considered as a story, as delineation of character, and as an exposition of its author's views of life in New London and elsewhere; but it is written in the most slipshod manner of a very careless school-girl, whose "composition teacher" has been unusually remiss in her duties. Apart altogether from the question whether or not one has something to say worth the saying, it is necessary to defer saying anything in public until one has studied at least the alphabet of expression:

"Did you never see this in life? A person old in years, so that when you think of their age you feel as though you should reverence and respect them, but utterly without the dignity and experience that should come with advancing years. Carrying with them all the foolishness they have had since a child, without the child's innocence and guilelessness to make it attractive. It is very wearing having to do with such natures, as Kate Ashton knew. Oh! if the Mrs. Nickleby of this world had only all died when Dickens wrote his great book! But they did not, as many of us know to our sorrow. How often we see in life the best parents having the worst children, and it has been so often observed in ministers' families that it has become quite proverbial."

This sounds not unlike Mrs. Nickleby herself. But even such thought deserves a better vehicle; and as Miss Macgregor is now in her second or third novel, and also is often in the magazines, it is to be hoped she will mend her hand. We cannot all be admirable writers, if we do our best; but to some of us it is discreditable that, writing so badly, we write at all.

Authors.—Titles.	BOOKS OF THE WEEK.	Publishers.—Prices.
Allen (J. H.), Latin Primer for Boys and Girls.....	(Ginn Brothers & Co.)	
American Chess-player's Hand-book.....	(Porter & Coates)	
Chesterfield (Lord), Letters, Sentences, and Maxims.....	(Scribner, Welford & Co.)	\$1 25
Fisher (Prof. G. F.), The Council of Constance and the Council of the Vatican.....	(New Haven)	
Godwin (P.), Out of the Past.....	(G. P. Putnam & Son)	2 00
Harkness (Prof. A.), Caesar's Commentaries.....	(D. Appleton & Co.)	
Haydn, and Other Poems.....	(Hurd & Houghton)	1 50
Hentz (Mrs. C. L.), The Banished Son.....	(T. B. Peterson & Bros.)	1 75
Kendo (T. A.), Treatise on Silk and Tea Culture.....	(A. Roman & Co.)	1 25
McCabe (J. D., Jr.), Paris by Sunlight and Gaslight.....	(Nat. Pub. Co.)	
Mulford (E.), The Nation: the Foundations of Civil Order and Political Life in the United States.....	(Hurd & Houghton)	
Powell (T. W.), Analysis of American Law.....	(J. B. Lippincott & Co.)	
Randall (Anna T.), Reading and Elocution.....	(Wilson, Pinney, Blakeman & Co.)	
Read (D.), Nathan Read, Inventor.....	(Hurd & Houghton)	1 75
Ruggles (H. I.), The Method of Shakespeare as an Artist.....	"	1 75
Smart (H.), A Race for a Wife: A Tale, swd.....	(D. Appleton & Co.)	0 50
Spencer (H.), Spontaneous Generation, and the Hypothesis of Physiological Units, swd.....	(D. Appleton & Co.)	
Textual Corrections of the Common English Version in the New Testament.....	(John Wiley & Son)	
Trollope (A.), The Macdermots of Ballycloran.....	(T. B. Peterson & Bros.)	1 75
Youmans (Miss E. A.), The First Book of Botany.....	(D. Appleton & Co.)	

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